



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

**Board of County Commissioners (BCC) Meeting**

December 19, 2017  
9:30 A.M.  
Commission Chambers

Thomas B. Davis, Esq.  
Director, Policy and Legislation  
Office of the Commission Auditor (OCA)  
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Research Notes**

**Item No. 172798, 172863  
File No. 2C1, 11A12**

**Researcher: SM   Reviewer: PGE**

**PROCESS FOR ESTABLISHING COUNTY MAYOR'S ANNUAL COMPENSATION**

**RESOLUTION ADOPTING A POLICY REGARDING THE SALARY AND BENEFIT LEVELS FOR THE MAYOR OF MIAMI-DADE COUNTY**

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the proposed resolution adopting a policy regarding the salary and benefit levels for the Mayor of Miami-Dade County.

**APPLICABLE LEGISLATION/POLICY**

Section 2.02 of the Miami-Dade County Home Rule Charter, governs the powers and responsibilities of the County Mayor.

[https://library.municode.com/fl/miami -  
dade county/codes/code\\_of\\_ordinances?nodeId=PTICOAMCH\\_ART2MA\\_S2.02REMA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH_ART2MA_S2.02REMA)

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Mayor**

The Board deferred the report to the Government Operations Committee (GOC) meeting on December 12, 2017 and the Board meeting on December 19, 2017.

During the GOC meeting on December 12, 2017, the committee members voiced their concern as to why it has fallen upon them to set the Mayor's salary. Commissioner Joe A. Martinez from District 11 asked if the Board has current procedures in place to set Mayoral salary or is it included in the annual budget of Miami-Dade County. Office of Management and Budget (OMB) Director Jennifer Moon mentioned that the Mayoral Salary is in the Budget and set in the Miami-Dade County Pay Plan. Commissioner Xavier L. Suarez from District 7 voiced his opinion on the matter and how he would like the Miami-Dade County Mayor to have a set salary around \$250,000 and that an elected Mayor of the County should not have a higher salary than the Chief Justice of the Supreme Court. Commissioner Dennis C. Moss from District 9 proposed to have a special council which would determine and set the mayoral salary; and Commissioner Rebeca Sosa from District 6 wanted to increase the current Mayor's salary and benefits to what the former Mayor was receiving.

**FISCAL IMPACT**

The fiscal impact to Miami-Dade County currently is the \$150,000 the current Mayor makes, if he receives the requested pay increase including benefits, his new total compensation will be approximately 323,959.

**ANALYSIS**

The items relate to whether the Board should set procedures to establish the County Mayor's annual salary as well as raising the current Mayor's salary. The current Mayor of Miami-Dade County has asked the Board to establish a process to set mayoral salary. The Mayor mentioned in a memo to the Board that it would be improper for him to

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propose his own compensation package. Mayor Gimenez is the first mayor to serve without a County Manager, therefore he is responsible for the everyday operations of the County, i.e., a strong mayor.

The item proffers to implement, by policy, the salaries and benefits of the current, and future Mayor, commensurate to the significant responsibilities of the office. The Mayor's salary which the Board will set shall be \$233,124 excluding benefits; with the benefits package the salary will be \$323,959. Mayor Gimenez is the first Mayor to serve without a County Manager, therefore he is responsible for the everyday operations of the County. When the current Mayor of Miami-Dade County took office six years ago he reduced his compensation to \$150,000 in addition to excluding the executive benefits that followed the elected position. The previous Miami-Dade County Manager had an income including benefits of \$437,087.

The previous Mayor had a compensation in the amount of \$323,959 including benefits. If the proposed Item receives Board approval; the current Mayor's salary and benefits will be increased to \$323,959. This amount is also budgeted for in the current fiscal year for Miami-Dade County.

Miami-Dade County operates as a two tier governmental system such as a City, and County. Florida voters approved a constitutional amendment in 1956 that allowed the people of Miami-Dade County (County) to enact a Home Rule Charter. The County has Home Rule powers, subject only to the limitations of the Constitution and general laws of the State of Florida. The Miami-Dade County Charter was amended to create a Strong Mayor form of government in 2007.

Currently in Miami-Dade County the County Mayor is elected through a Countywide vote and is not a member of the Commission. He has the power to veto actions of the Commission within ten days of their adoption, and has a term limited to two consecutive four-year terms.

There are comparably-sized jurisdictions across the U.S which have a similar form of Strong Mayor system. The office of the Commission Auditor conducted a research on these various comparably-sized jurisdictions and found that the current Mayor's salary is less than the salaries of the Mayors from the eight comparable jurisdictions it found with the exception of West Palm Beach FL that had similar annual salary excluding the benefits.



Revised -  
Comparing Mayoral

**ADDITIONAL INFORMATION**

The City of Atlanta has a Strong Mayor system which uses a council to set the mayoral salary. The council may by ordinance change the annual salary of the Mayor. Such action shall take into consideration any recommendation made by the elected Officials Compensation Commission. No action to increase such salaries shall be taken until notice of intent to take the action has been published in a newspaper of general circulation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.

<http://www1.nyc.gov/assets/quadrennial/downloads/pdf/studies/2012-City-of-Atlanta.pdf>

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**Item No. 3B1, 3B2, 3B3, 3B4**

**File Nos. 172639, 172774 , 172775, 172777**

**Researcher: SAP   Reviewer: PGE**

**RESOLUTION RATIFYING THE ACCEPTANCE AND EXECUTION OF SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 1 (SJPA) TO JOINT PARTICIPATION AGREEMENT NO. 423290-2-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,797,672.00 FOR PHASE TWO OF THE CONCOURSE "H" MODIFICATIONS AND INTERNATIONALIZATION PROJECT AT MIAMI INTERNATIONAL AIRPORT, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING THE TERMINATION PROVISIONS**

**RESOLUTION RATIFYING THE ACCEPTANCE AND EXECUTION OF SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 2 (SJPA) TO JOINT PARTICIPATION AGREEMENT NO. 429272-1-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$900,000.00 FOR REPLACEMENT AND REFURBISHMENT OF PASSENGER LOADING BRIDGES AT MIAMI INTERNATIONAL AIRPORT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING THE TERMINATION PROVISIONS**

**RESOLUTION RATIFYING THE ACCEPTANCE AND EXECUTION OF JOINT PARTICIPATION AGREEMENT (JPA) NO. 439835-1-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$4,096,751 FOR THE CONSTRUCTION OF AVIATION FUEL TANKS AND FACILITIES AT MIAMI INTERNATIONAL AIRPORT, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING THE TERMINATION PROVISIONS**

**RESOLUTION RATIFYING THE ACCEPTANCE AND EXECUTION OF JOINT PARTICIPATION AGREEMENT (JPA) NO. 438618-1-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,000,000.00 FOR THE CONSTRUCTION OF PASSENGER WALKWAYS AND OTHER RENOVATION WORK BETWEEN CONCOURSES E AND F AT MIAMI INTERNATIONAL AIRPORT, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING THE TERMINATION PROVISIONS**

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify the County Mayor's acceptance and execution of the following four (4) Joint Participation Agreements (JPAs) between the County and Florida Department of Transportation (FDOT) for construction and renovation projects at Miami International Airport (MIA).

<b>JPA</b>	<b>Amount</b>	<b>Purpose</b>
1423290-2-94-01 ( <i>Supplemental No. 1</i> )	\$1,797,672.00	Phase Two of the Concourse "H" modifications and internationalization project.
429272-1-94-01 ( <i>Supplemental No. 2</i> )	\$ 900,000.00	Replacement and refurbishment of terminal-wide passenger loading bridges.
439835-1-94-01	\$4,096,751.00	Construction of Aviation and Fuel Tanks and Facilities.
438618-1-94-01	\$1,000,000.00	Construction of passenger walkways and other renovation work between Concourses E and F.

**APPLICABLE LEGISLATION/POLICY**

Section 332.006(6) of the Florida Statutes (Duties and Responsibilities of the Department of Transportation) authorizes FDOT to "administer department participation in the program of aviation and airport grants."

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[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0300-0399/0332/Sections/0332.006.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0332/Sections/0332.006.html)

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\\_ptiii\\_ch2\\_artxxxii\\_sec2-285](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artxxxii_sec2-285)

Resolution No. R-370-15, adopted May 5, 2015 ratifying the acceptance and execution of Joint Participation Agreement No 42927219401 with the Florida Department of Transportation in the amount of \$1,984,717.00 for the replacement and refurbishment of passenger loading bridges at MIA

<http://intra/gia/matter.asp?matter=150931&file=true&yearFolder=Y2015>

Resolution No. R-371-15, adopted on May 5, 2015, ratifying the acceptance and execution of Joint participation Agreement No. 42329029401 with the Florida Department of Transportation in the amount of \$7,427,885.00 to partially fund the Concourse “H” Modification and internalization (Phase One) project at Miami International Airport

<http://intra/gia/matter.asp?matter=150932&file=true&yearFolder=Y2015>

Resolution No. R-180-16, adopted May 8, 2016, ratifying action of County Mayor’s or his designee in approving and executing the supplemental Joint Participation Agreement t financial project number 42927219401 with the Florida Department of Transportation in the amount of \$1,762,500 for a total FDOT grant of \$3,747,217.00 for the costs of passenger loading bridges at MIA

<http://intra/gia/matter.asp?matter=160356&file=true&yearFolder=Y2016>

### **PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Requester:** Aviation Department

This item has no procedural history.

### **FISCAL IMPACT**

<b>JPA</b>	<b>Fiscal Impact</b>
423290-2-94-01 <i>(Supplemental No. 1)</i>	SJPA No. 1 provides additional FDOT funding in the amount of \$1,797,672. Added to the \$7,427,885 in the original JPA approved in 2015 (R-371-15), this Supplement brings the total FDOT funding to \$9,225,557. The total project cost estimate is \$73,228,167. MDAD’s Multi-Year Capital Fund will cover any costs in excess of grant funds. Monies will be used to fund Concourse H modifications and internationalization (Phase one) at MIA; the SJPA will provide additional funding toward Phase Two of the project, covering design development for the renovation of the east side of Concourse H.
429272-1-94-01 <i>Supplemental No. 2</i>	SJPA No. 2 provides additional FDOT funding in the amount of \$900,000. The total project cost estimate is \$9,294,434. There is no federal funding for this project. MDAD’s Multi-Year Capital Fund will cover any costs in excess of grant funds. <i>This grant is a supplement to the multiyear Passenger Boarding Bridge Replacement Program at MIA.</i>

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<b>JPA</b>	<b>Fiscal Impact</b>
439835-1-94-01	This JPA provides FDOT funding in the amount of \$4,096,751 to be matched by MDAD. Additional FDOT funding of \$5 million towards the project cost is programmed in FDOT's fiscal year 2019 budget. Funding in the current year and additional funding in 2019 for FDOT and MDAD will pay 100 percent of the costs of the project. Total estimated project cost is \$18,194,000. Monies will be used toward construction of aviation fuel tanks and aviation fuel facilities expansion at MIA.
438618-1-94-01	This JPA reflects a \$2 million portion of the total estimated project cost of \$16,185,557 and provides an initial grant of \$1 million in FDOT's fiscal year 2018. Additional FDOT funding of \$7,540,000 is programmed for fiscal year 2019. Monies will be used to support design and construction of a connector between Concourses E and F at MIA.

**ANALYSIS**

This item seeks ratification of the County Mayor's acceptance and execution of four FDOT JPAs for construction and renovation projects at the Miami International Airport (MIA).

On May 5, 2015, the Board adopted Resolution Nos. R-370-15 and R-371-15, ratifying the acceptance and execution of Joint Participation Agreement Nos. 42927219401 and 42329029401 with the Florida Department of Transportation in the amounts of \$1,984,717.00 and \$7,427,885 respectively, for the replacement and refurbishment of passenger loading bridges at MIA, and to partially fund the Concourse "H" modification and internalization (Phase one) Project at Miami International Airport. (*See preceding links*).

Resolution No. R-180-16, adopted May 8, 2016, ratifying action of County Mayor's or his designee in approving and executing the supplemental Joint Participation Agreement t financial project number 42927219401 with the Florida Department of Transportation in the amount of \$1,762,500 for a total FDOT grant of \$3,747,217.00 for the costs of passenger loading bridges at MIA. (*See preceding link*).

**Public Transportation Joint Participation Agreement**

<b>Date</b>	<b>JPA</b>	<b>Project Description*</b>
October 17, 2017	423290-2-94-01 ( <i>Supplemental No. 1</i> )	<p>The original JPA was for \$7,427,885. The total project cost estimate is \$73,228,167. MDAD's Multi-Year Capital Fund will cover any costs in excess of grant funds. Phase One covered the improvements to the west side of the Concourse. Phase Two covers the design development for the renovations of the east side of Concourse "H" Headhouse and Gates "H12" and "H14" to:</p> <ul style="list-style-type: none"> <li>- Accommodate A380 and other large aircraft at MIA,</li> <li>- Convert gates from domestic to international service through construction of new vertical circulation cores,</li> <li>- Extend the three-floor (sterile) corridor, and</li> <li>- Reconfigure the existing hold rooms to expand capacity and concessions.</li> </ul>

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<b>Date</b>	<b>JPA</b>	<b>Project Description*</b>
October 17, 2017	429272-1-94-01 (Supplemental No. 2)	<p>This Agreement provides funding of \$900k for total FDOT funding of \$4,647,217 toward the project's total cost of \$9,294,434 for refurbishment and replacement of passenger loading bridges (PLBs) at MIA.</p> <p>All project costs in excess of the FDOT funding will be provided by the Miami-Dade Aviation Department's (MDAD) already-approved Multi-Year Capital Plan Fund. The multi-year Passenger Boarding Bridge Replacement Program in which the intention is to replace about 37 Passenger Boarding Bridges (from Concourse D, E, F, and G) which have an average cost of about \$1.5 million per location.</p> <p>The proposed gates are based on a field report and include Gates: D3, D4, D5, D6, D7, D11, D9, D12, D14, D15, D16, D17, D8, D10, D19, D20, D21, D22, E4, E5, E7, F6, F8, G8, G9, G15, G16, E2, F3, F5, F7, F11, F12, G19, E9, E10, and E11.</p>
June 28, 2017	439835-1-94-01	<p>The aviation fuel facilities at MIA, operated by MDAD and used by all airlines, need to be expanded to meet the airlines' and MIA's increasing growth demands.</p> <p>The scope of work consists of the design of three jet fuel storage tanks of four million gallons each, a water deluge system, relocation of a filtration system, and construction of a new fueling vehicle maintenance and administration facility.</p>
November 14, 2017	438618-1-94-01	<p>To provide for the MDAD's participation in MIA Concourse E to F Connector project consisting of a new elevated pedestrian bridge that will connect Concourse E to Concourse F. All project costs in excess of the FDOT funding will be provided by MDAD's Multi-Year Capital Plan Fund.</p> <p>The current Concourse E and F Connector will be renovated to provide alternate access if work in the Central Terminal blocks one of the two passenger walking areas. The project will also involve improvements to the concourses that will result in better flexibility in Concourse E and F gate usage. This connector also acts as an enabling project for the Central Terminal Development construction since it provides an alternate post security passenger circulation route between concourses that will allow construction to occur terminal-side once the central terminal projects begins.</p>

*\*Information provided by Miami-Dade Aviation Department*



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**OTHER**

*7.20 The Department's Obligations* – Subject to other provisions of the Agreement, MDAD will honor requests for reimbursement to the Agency pursuant to the Agreement. However, notwithstanding any other provision of the Agreement, MDAD may elect by notice in writing not to make a payment if:

- a) The Agency shall have made misrepresentation of a material nature in its application, or any supplement or amendment to its application, or with respect to any document or data furnished with its application or pursuant to the Agreement.
- b) There is any pending litigation with respect to the performance by the Agency of any duties or obligation which may jeopardize or adversely affect the Project, the Agreement, or payments to the Project;
- c) The Agency shall have taken any action pertaining to the Project which, under this Agreement, requires the approval of the Department or has made related expenditures or incurred related obligations without having been advised by the Department that same are approved.
- d) There has been any violation of the conflict of interest provisions contained in this Agreement.
- e) The Agency has been determined by the Department to be in default under any of the provisions of the Agreement;  
or
- f) Any federal agency providing federal financial assistance to the Project suspends or terminates federal financial assistance to this Project. In the event of suspension or termination of federal financial assistance, the Agency will reimburse the Department for all disallowed costs, including any and all federal financial assistance.

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**Item No. 3B5**  
**File No. 172540**

**Researcher: AIP   Reviewer: PGE**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND FUNDS FROM THE 2017-2018 STATE OF FLORIDA CULTURAL FACILITIES GRANT PROGRAM IN THE AMOUNT OF \$500,000.00 WITH A COUNTY MATCH OF \$1,151,115.00 TO BE FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 254 – "JOSEPH CALEB CENTER AUDITORIUM" FUNDS FOR THE JOSEPH CALEB AUDITORIUM, TO EXECUTE ALL NECESSARY AGREEMENTS INCLUDING GRANT AGREEMENT AND RESTRICTIVE COVENANT, INCLUDING RECORDATION OF RESTRICTIVE COVENANT, AND TO EXERCISE ALL PROVISIONS CONTAINED IN SUCH AGREEMENTS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the Mayor (or designee) to apply for, receive and expend funds from the Florida Department of State 2017-18 Cultural Facilities Grant Program in the amount of \$500,000 for renovations to the Joseph Caleb Auditorium (JCA) with a local match of \$1,151,115.

**APPLICABLE LEGISLATION/POLICY**

**Florida Statutes 265.701(4)** (*Cultural facilities; grants for acquisition, renovation, or construction; funding; approval; allocation*), which states that any contract administered under this section shall require the recordation of a restrictive covenant by the grantee and property owner or the purchase of a bond as prescribed by rule to ensure that the facility continues to be used as a cultural facility for a period of 10 years following the grant award. If the facility ceases to be used as a cultural facility during the 10 years following the grant award, the grant funds shall be repaid to the department according to an amortization schedule set forth in rule.

- [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0200-0299/0265/Sections/0265.701.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0265/Sections/0265.701.html)

**Resolution No. R-656-14**, adopted July 15, 2014, approved a Professional Services Agreement between Miami-Dade County and Rodriguez and Quiroga Architects Chartered, for architectural, engineering and specialty consulting services for project No. A12-CUA-02 – Three Cultural Facilities; in an amount not to exceed \$1,213,424.60; authorizing the use of Building Better Communities General Obligation Bonds funds in an amount not to exceed \$1,213,424.60.

- <http://intra/gia/legistarfiles/Matters/Y2014/141260.pdf>

**Resolution No. R-974-09**, adopted July 21, 2009, requiring that any resolution authorizing the execution of instruments creating a County interest in real property be recorded in the public records of Miami-Dade County.

<http://intra/gia/legistarfiles/MinMatters/Y2009/091900min.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: Vice Chairwoman Commissioner Audrey M. Edmonson, District 3**

**Department/Requester: Department of Cultural Affairs**

This item has no procedural history.

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**FISCAL IMPACT**

The \$500,000.00 state grant funds will be matched by \$1,151,115.00 of BBC-GOB funds - Project No. 254 (Joseph Caleb Center Auditorium). The County is required to repay the grant if the facility were to cease to be used as a cultural facility during the 10 years following the grant award.

**ANALYSIS**

This item seeks authorization for the Department of Cultural Affairs to expend funds of \$500,000 from State Cultural Facilities Grant Program to help build an approximately 4,300 square foot back-of-house, one-story addition to the Joseph Caleb Auditorium. The grant funds are being matched with \$1,151,115.00 of BBC-GOB Program Project No. 254 funds. The Cultural Facilities Program is intended for organizations whose mission is cultural programming in one discipline as defined in Section 265.283(7), Florida Statutes.

The program coordinates and guides the State of Florida's support and funding of renovation, new construction, or acquisition of cultural facilities and is intended for bricks and mortar construction, renovation, or for acquisition (not any combination of the three). State funding is not to be used for parking facilities, sidewalks, walkways, and trails that are independent projects; landscaping; fabrication or design of exhibits (not permanently affixed to the building); not commercial projects. Awarded grant funds must be spent on project expenses incurred during the grant period as defined in the grant award agreement.

**Grant Award Agreement:**

The grant shall be used exclusively for the Joseph Center Auditorium Project, in order to better serve the community with stage productions and cultural events.

**Grant funds will be used to:**

1. Expand the Auditorium's back-of-house area, concentrating on the facility's desperate need for adequate space to bring shows onto the stage and to provide professional-level backstage features for its users;
2. Add two new chorus dressing rooms with restroom and shower amenities and a new green room for performers;
3. Loading dock area which is over 1,000 square feet, flowing directly onto the stage and separated by a large acoustically-insulated door. This will allow the crew and production staff much greater flexibility in preparation of the shows.

A requirement of the Cultural Facilities Program grant is that a restrictive covenant be executed and recorded on the JCA's property. The restrictive Covenant will be violated if the County or its successors in interest cease to use the auditorium as a cultural facility, within the 10 years following the execution of the grant award agreement as required by Section 265.701(4), Florida Statutes. If the County violates the restrictive covenant, it shall repay the grant funds to the State of Florida pursuant to the amortization schedule set forth below:

<b>If Violation</b>	<b>% of Repayment of Grant amount</b>
a. Occurs within five (5) years following execution	100%
b. Occurs more than five (5) but less than six (6) years following execution	80%
c. Occurs more than six (6) but less than seven (7) years following execution	65%

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d. Occurs more than seven (7) years but less than eight (8) years following execution	50%
e. Occurs more than eight (8) years but less than nine (9) years following execution	35%
f. If the violation occurs more than nine (9) but less than ten (10) years following execution	20%

\*Any amount due from the County as a result of a violation shall be due in full within 90 days of the violation, or some other period of time as agreed upon by the parties.

**Restrictions on Matching Funds**

- Funds that are for General Operating Expenses (i.e. the Un-restricted column on the Statement of Activity page of the organization's audit) will not be acceptable as match
- Revenue from bond issues that have not been passed at the time of application will not be acceptable as match
- Revenue from grants that have not yet been awarded will not be acceptable as match.
- Fundraising costs will not be acceptable as match
- Legal fees or taxes will not be acceptable as match
- Matching funds will be designated only to the Scope of Work presented in this application and may not have been used in previous Division or Department of State grants
- Expenditures made before the grant period
- Interest paid on mortgage. The interest paid on the mortgage is considered to be the "cost of doing business," and may not be used as match
- Building or Land as match:
  - The value of buildings or land not owned by the applicant may not be used as match.
  - Only the purchase price or documented acquisition date value, not current market value, may be used as match
- Loans may not be used as match. Only unencumbered equity may be counted as match
- Any State of Florida agency funds may not be used as match for this program

Additional information on the grant guidelines:

- <http://dos.myflorida.com/media/698507/2018-2019-cultural-facilities-guidelines.pdf>

**ADDITIONAL INFORMATION**

Previous Resolutions relating to the Joseph Caleb Center:

- Resolution No. R-735-17 (File No. 171685) (*Resolution Approving The Joseph Caleb Auditorium Expansion*) Adopted by the Board on July 18, 2017:  
 - <http://intra/gia/matter.asp?matter=171685&file=true&yearFolder=Y2017>
- Resolution No. R-744-17 (File No. 171604) (*Joseph Caleb Center New Courthouse Annex/Additions*) Adopted by the Board on July 18, 2017:  
 - <http://intra/gia/matter.asp?matter=171604&file=true&yearFolder=Y2017>

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- Resolution No. R-1134-16 (File No. 162280) (*Conveyance 5400 NW 22 Ave*) Adopted by the Board on December 6, 2016:  
- <http://intra/gia/matter.asp?matter=162280&file=true&yearFolder=Y2016>
- Resolution No. R-886-14 (File No. 142098) (*Caleb Parking Garage Award and Bid Protest*) Adopted by the Board on October 7, 2014:  
- <http://intra/gia/matter.asp?matter=142098&file=true&yearFolder=Y2014>
- Resolution No. R-749-14 (File No. 141249) (*Caleb Center PSA Amendment*) and Supplement (File No. 141610) September 3, 2014:  
- <http://intra/gia/matter.asp?matter=141249&file=true&yearFolder=Y2014>  
- Supp. : <http://intra/gia/matter.asp?matter=141610&file=true&yearFolder=Y2014>
- Resolution No. R-945-13 (File No. 131835) (*Lease Agreement at Joseph Caleb Center*) Adopted by the Board on November 19, 2013:  
- <http://intra/gia/matter.asp?matter=131835&file=false&yearFolder=Y2013>
- Resolution No. R-893-12 (File No. 121619) (*Third Amendment to Lease AGMT at Joseph Caleb Center*) Adopted by the Board on November 8, 2012:  
- <http://intra/gia/matter.asp?matter=121619&file=true&yearFolder=Y2012>
- Resolution No. R-510-12 (File No. 121172) (*Caleb Center Plat*) Adopted by the Board on June 19, 2012:  
- <http://intra/gia/matter.asp?matter=121172&file=true&yearFolder=Y2012>
- Resolution No. R-588-12 (File No. 120981) (*Lease Agreement with Miami Children/Inc.*) Adopted by the Board on July 3, 2012:  
- <http://intra/gia/matter.asp?matter=120981&file=true&yearFolder=Y2012>
- Resolution No. R-352-12 (File No. 120897) (*Joseph Caleb Center-New Branch Courthouse & Parking Garage*) Adopted by the Board on May 1, 2012:  
- <http://intra/gia/matter.asp?matter=120897&file=false&yearFolder=Y2012>
- Resolution No. R-1078-10 (File No. 102452) (*PSA for J. Caleb Center Renovation*) Adopted by the Board on November 4, 2010:  
- <http://intra/gia/matter.asp?matter=102452&file=true&yearFolder=Y2010>
- Resolution No. R-1357-09 (File No. 092820) (*Second Amendment to Lease agreement at Joseph Caleb Center*) Adopted by the Board on December 1, 2009:  
- <http://intra/gia/matter.asp?matter=092820&file=true&yearFolder=Y2009>
- Resolution No. R-1160-08 (File No. 082656) (*Lease Agreement with DCF at Joseph Caleb Community Center*) Adopted by the Board on November 20, 2008:  
- <http://intra/gia/matter.asp?matter=082656&file=true&yearFolder=Y2008>
- Resolution No. R-1161-08 (File No. 082657) (*Lease Agreement at the Joseph Caleb with Miami Auto Tag Agency*) Adopted by the Board on November 20, 2008:

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- <http://intra/gia/matter.asp?matter=082657&file=true&yearFolder=Y2008>

- Resolution No. R-1177-08 (File No. 082663) (*Establishment of the Joseph Caleb Auditorium Trust Fund*) Adopted by the Board on November 20, 2008:  
- <http://intra/gia/matter.asp?matter=082663&file=true&yearFolder=Y2008>
- Resolution No. R-1339-07 (File No. 073009) (*Office Space at the Joseph Caleb Center*) Adopted by the Board on December 4, 2007:  
- <http://intra/gia/matter.asp?matter=073009&file=true&yearFolder=Y2007>

**BCC Meeting: December 19, 2017**  
**Research Notes**

**Item No. 3B6**  
**File No. 172767**

**Researcher: BM Reviewer: TD**

RESOLUTION APPROVING CONFIDENTIAL PROJECT SUNSHINE AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT SUNSHINE EXISTS; PROVIDING THAT LOCAL SUPPORT OF UP TO \$132,000.00 FROM GENERAL REVENUE FUNDS WILL BE AVAILABLE AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2018-19 THROUGH 2025-26 INCLUSIVE, OR OVER A PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT SUNSHINE; AND WAIVING THREE-YEAR REQUIREMENT TO CREATE 110 FULL-TIME JOBS AND AUTHORIZING THE CREATION OF SUCH JOBS OVER A FIVE-YEAR PERIOD

**ISSUE/REQUESTED ACTION**

Whether the Board should: (1) approve an application for economic development incentives, from the State of Florida (State) and Miami-Dade County (County), submitted by the Beacon Council, for Confidential Project Sunshine, requesting to be recognized by the State as a Qualified Target Industry (QTI) in order to benefit financially under the QTI Tax Refund Program; (2) confirm that the commitments of local financial support exists; (3) provide that local support of \$132,000 from general revenue funds be available over the approved period of the project; and (4) waive the three-year requirement to create the 110 full-time jobs and allow five-year period for the job creation.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-1175-16, set a policy that QTI business in Miami-Dade County fill no less than 20 percent of the jobs created on a project with Miami-Dade County residents. The Board adopted this resolution on December 6, 2016.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2016/R-1175-16.pdf>

Section 288.106, Florida Statutes, Tax refund program for qualified target industry businesses, declares that retaining and expanding existing businesses in the state, encouraging the creation of new businesses in the state, attracting new businesses from outside the state, and generally providing conditions favorable for the growth of target industries creates high-quality, high-wage employment opportunities for residents of the state and strengthens the state's economic foundation Furthermore, confirms that the commitments of local financial support is necessary for the business to exist.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0200-0299/0288/Sections/0288.106.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0288/Sections/0288.106.html)

Section 288.106, Florida Statutes, High-impact business, establishes the requirements to qualify for the high-impact bonus.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0200-0299/0288/Sections/0288.108.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0288/Sections/0288.108.html)

Section 2-1256 of the County Code, Application Process, relates to company's confidentiality regarding location and/or expansion evaluation.



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[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTLXXXVITAJOINFUPR\\_S2-1256APPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTLXXXVITAJOINFUPR_S2-1256APPR)

**PROCEDURAL HISTORY**

**Prime Sponsor: Vice-Chairwoman, Audrey M. Edmonson, District 3**

**Department/Requester: Regulatory and Economic Resources**

This item has no procedural history.

A similar item was adopted by the Board on April 18, 2017, approving Confidential Project Mystic as QTI. The Board has approved 10 QTI related projects within the past 24 months.

<http://intra/gia/legistarfiles/MinMatters/Y2017/171006min.pdf>

**FISCAL IMPACT**

If approved by the Board, the proposed resolution will have a net negative fiscal impact of \$116,159 to the County.

The company applied for a total of \$660,000 in QTI tax refund. The County would be committed to providing up to \$132,000 (20%) in matching funds from Countywide General Fund Revenues to be paid over an eight-year period, in annual increments of \$16,500, beginning in FY 2018-19. The State will provide \$528,000 (80%). The \$660,000 applied for is calculated based on the 110 new full-time positions at a total of \$6,000 per position.

Based on the projected capital investment of \$1,280,000 in new real property, the project is expected to generate \$15,841 (over an eight-year period) in Countywide General Fund Ad Valorem revenues. Netting the committed amount of \$132,000 and the ad valorem revenue of \$15,841 results in the \$116,159 negative fiscal impact to the County.

The County is expected to benefit from the wages of the 110 jobs created in an estimated amount of approximately \$64 million over the eight-year period for which the project is eligible for the award.

**ANALYSIS**

If approved by the Board, the proposed resolution: (1) approves an application for economic development incentives, from the State of Florida (State) and Miami-Dade County (County), submitted by the Beacon Council, for Confidential Project Sunshine, requesting to be recognized by the State as a Qualified Target Industry (QTI) in order to benefit financially under the QTI Tax Refund Program; (2) confirms that the commitments of local financial support exists; (3) provides that local support of \$132,000 from general revenue funds be available over the approved period of the project; and (4) waives the three-year requirement to create the 110 full-time jobs and allows five-years period for the job creation.

The Beacon Council facilitates local, national and international business growth and expansion programs, helping companies of all sizes in diverse industries achieve their goals. Since its creation in 1985, The Beacon Council has completed more than 1,000 new location and expansion projects, for a long list of companies, such as Wells Fargo Advisors, Discovery Network-Latin America, BD Biosciences, Federal Express, Telefonica, Burger King, Ryder System, Inc. and Visa Inc.

The company requesting confidentiality is a multicultural educational platform and is seeking to establishing their corporate in Miami-Dade County. The office is to be located within District 3, represented by Vice-Chairwoman Audrey M. Edmonson.



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Under the agreement, the State is responsible for verifying the company's compliance to the terms of the award. The State will invoice Miami-Dade County for its 20 percent financial commitment once jobs are created and verified by the State.

Under the agreement, the County is responsible for providing the 20 percent matching funds only if the applicant creates 110 new jobs and provides at least 20 percent of the jobs to local residents.

The proposed resolution will have a positive effect on the local economy as it will create up to 110 jobs and generate up to approximately \$64 million over the eight-year period for which the project is eligible for the award.

**ADDITIONAL INFORMATION**

The link below provides more information regarding the Beacon Council:

<http://www.beaconcouncil.com/>

Below is information available on the Department of Regulatory and Economic Resources website.

The Qualified Target Industry (QTI) Tax Refund, is a State of Florida incentive available for companies that create high wage jobs in targeted high value-added industries and may provide the company with a tax refund of up to \$3,000 per new job created. This program is funded by the State of Florida (80%) and Miami-Dade County (20%).

The QTI program requires the creation of at least 10 new fulltime jobs at salary levels equal to or exceeding 115% of the State annual average wage, or \$41,516. For businesses paying 150% of the State average annual wage, add \$1,000 per job; for 200% of the State average annual wage, add \$2,000 per job. For companies that locate or expand within any of Miami-Dade County's Enterprise Zones, this incentive is increased up to \$6,000 per new job created, and the minimum salary requirement may be waived.

<http://www.miamidade.gov/business/qualified-target-industry-tax-refund.asp>

The link below provides more information regarding the Qualified Target Industry (QTI) Tax Refund.

<http://www.miamidade.gov/business/library/guidelines/qualified-target-industry-program.pdf>

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 8M1  
File No. 172789**

**Researcher: NR    Reviewer: TD**

RESOLUTION APPROVING A MUTUAL GENERAL RELEASE AND PAYMENT PLAN WITH TOBY'S CONCESSION SERVICES, INC. AND TOBY'S FROZEN LEMONADE, INC. PROVIDING FOR PAYMENTS TO THE COUNTY TOTALING \$20,000.00 OVER SIX YEARS, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE AND ACCEPT SAME AND EXERCISE ALL RIGHTS THEREUNDER

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the Mutual General Release between Toby's Concession Services, Inc., Toby's Frozen Lemonade, Inc. (together, Toby's), and Miami-Dade County.

**APPLICABLE LEGISLATION/POLICY**

There is no applicable legislation

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman**

**Requestor: Parks, Recreation and Open Spaces**

This item has no procedural history.

**FISCAL IMPACT**

This Mutual General Release will provide \$20,000 to the Parks, Recreation and Open Spaces Department.

**ANALYSIS**

This item seeks to approval of the Mutual General Release between Toby's and the County for a payment to the County of \$20,000 over six years to resolve a litigation between the County and Toby's.

The litigation arose because Toby's was unable to make the payments under the concession agreements at three facilities. Toby's operated concessions at the following County Parks, Recreation and Open Spaces Department (PROS) facilities:

- Haulover Park, at 10800 Collins Avenue in Commission District 4, represented by Commissioner Sally A. Heyman;
- Crandon Park, at 4000 Crandon Boulevard in Commission District 7, represented by Commissioner Xavier L. Suarez; and
- Palmetto Golf Course, at 9300 SW 152 Street in Commission District 8, represented by Commissioner Daniella Levine Cava.

By April of 2010, Toby's was either terminated or not renewed for all three agreements. To date, Toby's has made \$631,154 in payments which is comprised of payments under the minimum guarantee and late fees out of an anticipated \$702,165 due to the County. The County filed a lawsuit to recover the balance due in the amount of \$71,011 (Case No. 13-02763-CA-42). However, after PROS review of Toby's finances, the County determined that it is unlikely to recover the balance due. Therefore, to avoid the expense of further litigation, the County has determined to resolve the litigation for a payment to the County of \$20,000.

**BCC Meeting: December 19, 2017**  
**Research Notes**

Upon execution and approval of this Mutual General Release Toby's will pay \$2,000 and the balance of \$18,000 will be paid over 72 consecutive calendar months in equal installment payments of \$250. Should Toby's default on the Mutual General Release, the County has the right to commence legal action to recover the full amount of the \$71,011 debt.

Per the State of Florida Division of Corporation Toby's Concession Services, Inc., is active and registered. Toby's Concession Services, Inc., filed and registered on October 13, 2005 and is headquartered in Miami.

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 8L1**

**File No. 172747**

**Researcher: BM Reviewer: TD**

RESOLUTION APPROVING THE PLAN FOR THE MIAMI-DADE COUNTY EMPOWERMENT CENTER LOCATED AT A PROPERTY UNDER NON-DISCLOSURE RESTRICTIONS, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY AS A GOVERNMENT FACILITY

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the plan, for the Miami-Dade County Empowerment Center (Center), pursuant to Section 33-303 of the County Code, as prepared by Department of Regulatory and Economic Resources (RER) as requested by the Internal Services Department (ISD) in collaboration with the Miami-Dade County Homeless Trust. The facility will provide a safe haven for victims of Domestic Violence and those fleeing abusive relationships access to safe emergency shelter and support services.

**APPLICABLE LEGISLATION/POLICY**

Application GF 16-05 was processed as a Government Facility to allow ISD in the Homeless Trust to build the Center which has been identified as a priority need in Miami-Dade County.

Section 33-303 of the County Code, relates to the requirement for approval from the Board relating to governmental facilities.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=CD\\_MIAMI-DADE\\_CO\\_FLORIDA\\_CH33ZO\\_ARTXXXVIZOPR\\_S33-303EXPR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXVIZOPR_S33-303EXPR)

Ordinance No. R-94-156, was adopted by the Board on September 13, 1994, establishing the Miami-Dade County Domestic Violence Oversight Board (DVOB) to oversee, under Florida Statute §212.0306, the 15% of a Local Option Food and Beverage Tax to construct and operate domestic violence centers. The remaining 85% of the tax is allocated to the Homeless Trust to assist persons who have become, or are about to become homeless. This Ordinance is not available on the internet.

Florida Statute §212.0306, "Local option food and beverage tax; procedure for levying; authorized uses; administration", states that no less than 15 percent of tax revenue funds generated shall be made available for construction and operation of domestic violence centers.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0200-0299/0212/Sections/0212.0306.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0212/Sections/0212.0306.html)

Resolution No. R-887-13, was adopted by the Board on November 5, 2013, approved the construction of a new Empowerment Center to respond to the needs of the community.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-887-13.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Daniella Levine Cava, District 8**

**Department/Requester: Regulatory and Economic Resources**

This item has no procedural history.

**FISCAL IMPACT**

If approved by the Board, the plan under the proposed resolution will have no fiscal impact to the County.

**BCC Meeting: December 19, 2017**  
**Research Notes**

**ANALYSIS**

The proposed resolution, is a plan for the construction of the Miami-Dade County Empowerment Center which will address the public need for an additional domestic violence shelter.

The Board of County Commissioners approved, on November 5, 2013, a project to design and construct a new 60-bed Domestic Violence Center to the Economic Stimulus Plan. The preliminary estimate for the construction project was \$8 million. The project is funded by the DVOB which receives 15 percent of the Local Option Food and Beverage Tax designated for construction and operation of domestic violence centers.

The construction of a new center addresses an urgent need of the Community. The Homeless Trust has identified the need to construct the facility. The existing domestic violence centers are often operating at full capacity creating a lack of available shelter beds for survivors of domestic violence and their dependents. It is estimated that only one in four households that need a safe shelter are able to be accepted. There are currently three domestic violence shelters. Approximately 130 shelter beds are located in northwest Miami-Dade while approximately only 25 shelter beds are located in southwest area. The Miami-Dade Site Review Committee reviewed and recommended approval for the center on February 8, 2017. RER Platting and Traffic Review Section has reviewed the subject application and has no objections.

If approved, the construction of the Miami-Dade Empowerment Center will be completed by June 2019. The proposed location resides in District 8, represented by Commissioner Daniella Levine Cava, on approximately nine acres. The center would consist of approximately 27-thousand square feet and provide the following:

- 60 emergency beds;
- kitchen facilities;
- laundry rooms;
- communal areas;
- individual group counseling rooms; and
- staff offices.

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 8N1**

**File No. 172119**

**Researcher: NR    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 Funds for Contracts for traffic signal and intersection improvement projects which were previously awarded under the MCC Program's 7040 and 7360 Plans.

**APPLICABLE LEGISLATION/POLICY**

**Florida Statutes 212.055** (Discretionary sales surtaxes; legislative intent; authorization and use of proceeds).

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=02000299/0212/Sections/0212.055.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=02000299/0212/Sections/0212.055.html)

**Section 29-124** of the County Code (Special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust).

[https://library.municode.com/fl/miami\\_-](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH29TA_ARTXVIONHAONPECHCOTRSYSA)

[dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH29TA\\_ARTXVIONHAONPECHCOTRSYSA](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH29TA_ARTXVIONHAONPECHCOTRSYSA)

**Section 2-1421** of the County Code (Citizens' Independent Transportation Trust created; powers over expenditure and use of proceeds of proposed Charter County Transit System Surtax).

[https://library.municode.com/fl/miami\\_-](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTXCVIICIINTRTR_S2-1421CIINTRTRCRPOOVEXUSPRPRCHCOTRSYSU)

[dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTXCVIICIINTRTR\\_S2-1421CIINTRTRCRPOOVEXUSPRPRCHCOTRSYSU](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTXCVIICIINTRTR_S2-1421CIINTRTRCRPOOVEXUSPRPRCHCOTRSYSU)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Barbara J. Jordan**

**Requestor: Transportation and Public Works**

This item was forwarded to the Board with a favorable recommendation by the Transportation and Public Works Committee (TPSC) at its October 12, 2017 meeting. There was no discussion by the Committee members on this item.

**FISCAL IMPACT**

The projects will be funded through Infrastructure Improvements-Countywide Project 2000000535 in the FY 2016-2017 Adopted Multi-Year Capital Plan. The fiscal impact to the Surtax shall not exceed the contract award amount for each contract.

**ANALYSIS**

This item seeks to authorize the use of Surtax funds for roadway improvement projects included in the Five Year PTP Implementation Plan, consistent with Florida Statute 212.055, and section 29-124 and 2-1421 of the County Code. These contracts will provide DTPW a means to respond to critical construction and repair needs through a competitively bid contract.

**BCC Meeting: December 19, 2017  
Research Notes**

Below are the details of the four contracts:

Contract No.	Title	Amount	Vendor
Contract No. 1	Contract for Traffic Signal Improvements – North (RPQ No. 20160055, MCC 7040 Plan)	\$1,272,957.44	AUM Construction, Inc.
Contract No. 2	Contract for Traffic Signal Improvements – South (RPQ No. 20160056, MCC 7040 Plan)	\$1,239,092.00	AUM Construction, Inc.
Contract No. 3	Contract for Intersection Improvements - South (RPQ No. 20170024, MCC 7360 Plan)	\$1,331,380.47	Star Paving, Corp.
Contract No. 4	Contract for Intersection Improvements – North (RPQ No. 20170025, MCC 7360 Plan)	\$1,330,815.47	Star Paving, Corp.

According to the State of Florida Division of Corporation both vendors: AUM Construction, Inc., and Star Paving, Corp. are active and registered. AUM Construction Inc. filed and registered on January 13, 2006 and is headquartered in Hialeah Gardens. Star Paving Corp. filed and registered on April 20, 1983 and is headquartered in Doral.

**AUM Construction Inc.(Sunbiz website)**

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=AUMCONSTRUCTION%20P060000070500&aggregateId=domp-p06000007050-4cbc3e66-4235-403d-8ba2-89959faac133&searchTerm=aum%20construction%20inc.&listNameOrder=AUMCONSTRUCTION%20P060000070500>

**Star Paving Corp. (Sunbiz website)**

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=STARPAVING%20G349600&aggregateId=domp-g34960-21c3206b-6b8f-4b1b-87f0-e1185dbbe8eb&searchTerm=Star%20Paving%20Corp.&listNameOrder=STARPAVING%202578260>

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 80**

**File No. 172610**

**Researcher: NR    Reviewer: TD**

RESOLUTION AMENDING IMPLEMENTING ORDER 4-110 RELATED TO MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT'S SCHEDULE OF RATES, FEES AND CHARGES

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize an amendment to Implementing Order 4-110 relating to the Water and Sewer Department's (WASD) Schedule of Rates, Fees, and Charges, which was adopted as part of the County's FY 2017-18 Adopted Budget, effective October 9, 2017

**APPLICABLE LEGISLATION/POLICY**

In accordance with Ordinance 16-107 the Board adopted on 10/5/2016 a new set of requirements related to the design and construction of water systems in mixed-use buildings.

<http://intra/gia/matter.asp?matter=161507&file=true&yearFolder=Y2016>

**PROCEDURAL HISTORY**

**Prime Sponsor: Infrastructure and Utilities Committee**

**Requester: Water & Sewer Department**

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee (IUC) at its December 12, 2017 meeting. A motion was made at the IUC meeting to waive this item to the December 19, 2017 Board Meeting.

**FISCAL IMPACT**

There is no fiscal impact to the County in the proposed amendment to Implementing Order 4-110 as the application of the revised mixed-use building rate structure (versus existing non-residential rates) was accounted for in the County's FY 2017-18 Adopted Budget. WASD estimated that its operating revenues would decrease by approximately \$1.3 million as the revised mixed-use building rate structure yields lower bills for water and wastewater consumption.

**ANALYSIS**

This amendment revises the mixed-use building rate structure applied to mixed-use buildings, which by definition contain more than two residential dwellings and non-residential (commercial) activities served by the same water meter. With the implementation of this amendment, the billed meter charge will change from a single meter charged to the entire building to a per unit meter and usage charge based on the number of residential units in the building, which will result in lessening the financial burden on customers.

Prior to October 1, 2016, developer and/or contractor were not required to design and construct separate plumbing and meters in mixed-use buildings. As a result those mixed use buildings are currently being billed at non-residential rates because the Department cannot distinguish between the amount of water used by the non-residential and the residential portions of the buildings.

The FY 2017-18 Budget included a Mixed Use Building rate structure which consists of a five percent discounted rate structure to provide relief to customers. This rate structure was created and is viewed by WASD as a short-term solution while the Department continues its review of revenue impacts of other pricing mechanisms.



**BCC Meeting: December 19, 2017  
Research Notes**

This alternative approach applies the revised mixed-use building rate structure to the residential portions of mixed-use buildings. The average savings for these affected customers can range between 15 to 29 percent, and it depends on the size of the meter, the number of units and water consumption.

**ADDITIONAL INFORMATION**

Pursuant to Ordinance 16-107, effective October 1, 2016, all permit applications for new buildings in Miami-Dade Water and Sewer Department's service area that contain both residential and commercial uses shall be required to include separate plumbing with a separate water meter and a separate point of connection to the Department's water distribution system for the commercial portions of the building and the residential portions of the building.

It is important to note that mixed use buildings constructed after October 1, 2016 will not be affected by the proposed alternate approach above described in the Analysis Section.

The impact of the proposed amendment is countywide because there are approximately 300 accounts in WASD's service areas throughout the County that are categorized as mixed-use buildings.

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 801**

**File No. 172636**

**Researcher: NR Reviewer: TD**

RESOLUTION RATIFYING VARIOUS ACTIONS BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE AWARD AND EXECUTION OF FIVE (5) CONTRACTS FOR NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS FOR ENGINEERING DESIGN AND RELATED SERVICES FOR THE IMPROVEMENT, UPGRADES AND EXPANSION OF LOCAL WASTEWATER PUMP STATIONS AND RELATED FACILITIES NECESSARY FOR CAPITAL IMPROVEMENT PROJECTS TO C SOLUTIONS, INC., PREMIERE DESIGN SOLUTIONS, INC., MILLER, LEGG & ASSOCIATES, INC., SRS ENGINEERING, INC., AND CES CONSULTANTS, INC., EACH IN THE AMOUNT OF \$2,200,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify the actions of the County Mayor or County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami -Dade County Code related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance (W ASD Acceleration Ordinance) for the funded projects identified in Exhibit A of the item.

**APPLICABLE LEGISLATION/POLICY**

The Consultants Competitive Negotiation Act, Section 287.055 of the Florida Statutes, governs the procurement of architectural, engineering, landscape architectural, surveying and mapping services.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0287/0287.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/0287.html)

Section 2-8.2.12 of the County Code (Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance) authorizes the County Mayor to accelerate the processing, procurement and award of any contract and agreement of the County for Consent Decree Work and other capital improvements contracts to maintain the operational effectiveness and capacity of the water and sewer systems, including contracts related to the purchase of goods and services, construction and professional services. Any act undertaken pursuant to the authority set forth under this section is subject to ratification by the Board.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.2.12MIDEWASEDECODECAIMPRACOR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR)

Section 2-10.4 of the County Code establishes the County's policy relating to the acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

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Section 2-10.4.01 of the County Code sets forth the Small Business Enterprise Architecture and Engineering Program. Under the program, sub consultant goals may be established and applied to a particular agreement based on estimates made prior to proposal advertisement of the quality, quantity and type of sub consulting opportunities provided by the agreement and of the availability of firms to afford effective sub consulting competition therefor. Proposal documents shall require proposers to submit a Letter of Agreement for each sub consultant to be utilized in satisfaction of a sub consultant goal.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4.01SMBUENARENPR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR)

Under Section 2-8.1(h) of the County Code (Dedicated, Contingency and Additional Service Allowances), the contingency allowance for a professional service agreement is 10 percent of the contract price.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-187-12, adopted by the Board on February 21, 2012, 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>

Implementing Order No. 3-32 sets forth procedures for the Community Business Enterprise Program for the purchase of professional architectural, landscape architectural, engineering or surveying and mapping services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

Administrative Order No. 3-39 sets forth the standard procedures for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting obligations.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Water & Sewer Department**

This item has no procedural history.

**FISCAL IMPACT**

The fiscal impact, funding sources as well as the Project/Agreement No., Commission District and Contract Term for the projects are detailed below:

Project/Agreement No.	Commission District	Contract Amount Shall Not Exceed	Funding Source(s)	Contract Term
Project No.E15-WASD-02, Agreement No. 17CSI001.	Various Districts	\$2,200,000	Wastewater Connection Charges; Future WASD Revenue Bonds; WASD Revenue Bonds Sold; WASD Future Funding, and Wastewater Renewal Fund	Seven years to C Solutions, Inc.

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Project No. E15-WASD-02, Agreement No. 17PDSI001	Various Districts	\$2,200,000	Wastewater Connection Charges; Future WASD Revenue Bonds; WASD Revenue Bonds Sold; WASD Future Funding, and Wastewater Renewal Fund	Seven years to Premiere Design Solutions, Inc.
Project No. E15-WASD-02, Agreement No. 17MLAI001	Various Districts	\$2,200,000	Wastewater Connection Charges; Future WASD Revenue Bonds; WASD Revenue Bonds Sold; WASD Future Funding, and Wastewater Renewal Fund	Seven years to Miller, Legg & Associates, Inc.
Project No. E15-WASD-02, Agreement No. 17SRSE002	Various Districts	\$2,200,000	Wastewater Connection Charges; Future WASD Revenue Bonds; WASD Revenue Bonds Sold; WASD Future Funding, and Wastewater Renewal Fund	Seven years to SRS Engineering, Inc.
Project No. E15-WASD-02, Agreement No. 17CESCI003.	Various Districts	\$2,200,000	Wastewater Connection Charges; Future WASD Revenue Bonds; WASD Revenue Bonds Sold; WASD Future Funding, and Wastewater Renewal Fund	Seven years to CES Consultants, Inc.
<b>Total Award Value</b>		<b>\$11,000,000</b>		

**ANALYSIS**

This item is requesting Board ratification of five Professional Services Agreements (PSA) executed by the County Mayor in June 2017, July 2017 and August 2017 under the Water and Sewer Department's Acceleration Ordinance. The PSAs are each valued at \$2,200,000 for a seven-year term and are for the delivery of engineering and related services for Engineering Design and Related Services for the Improvement, Upgrades and Expansion of Local Wastewater Pump Stations, and Related Facilities Necessary for Capital Improvement Projects.

The PSAs have been awarded to:

- C Solutions, Inc. and the estimated Notice to Proceed date was July 1, 2017
- Premiere Design Solutions, Inc. and the estimated Notice to Proceed date was August 1, 2017
- Miller, Legg & Associates, Inc. and the estimated Notice to Proceed date was August 1, 2017
- SRS Engineering, Inc. and the estimated Notice to Proceed date was August 1, 2017
- CES Consultants, Inc. and the estimated Notice to Proceed date was September 30, 2017

On February 25, 2016, a Notice to Professional Consultants (NTPC) was issued under full and open competition for five (5) separate Non-Exclusive Professional Services Agreements with a total compensation amount of \$2,200,000 each. Under the NTPC, the County sought firms capable of providing engineering design services, including planning and permitting assistance, during the construction for system upgrades to local sewer pump stations.

On July 29, 2016, at the First-Tier Evaluation of Qualification meeting, the Competitive Selection Committee reviewed and ranked the twenty (20) proposals. On July 14, 2016, ISD was notified that Mr. Cardozo, the sole qualifier and Project Manager listed in the proposal had passed away. In accordance with the December 8, 2016 opinion provided by County Attorney's Office, Cardozo Engineering, Inc. was eliminated. On December 20, 2016 the tabulation sheet was revised and the updated final rankings of the respondents to the NTPC is summarized below.

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Firm	Rank
CES Consultants, Inc.	1
Cardozo Engineering, Inc.	N/A
Miller, Legg & Associates, Inc.	2
SRS Engineering, Inc.	3
Premier Design Solutions, Inc.	4
C Solutions, Inc.	5
Millan, Swain & Associates, Inc.	6
HBC Engineering Company	7
Chen Moore and Associates, Inc.	8
Civil Works, Inc.	9
EBS Engineering, Inc.	10
Thompson & Associates, Inc., Civil Engineering	11
A.D.A. Engineering, Inc.	12
Nifah and Partners Consulting Engineers, Inc.	13
Robayna and Associates, Inc.	14
PE Consulting Engineering, Inc.	15
Rodolfo Ibarra, P.E. P.A.	16
EGSC Engineering Consultants, Inc.	17
Ambro, Inc.	18
Metco Services Southeast, LLC.	19

**ADDITIONAL INFORMATION**

Small Business Development (SBD) is a division of the Internal Services Department. SBD is responsible for the administration of Miami-Dade County's Small Business Enterprise, and Wage and Workforce Programs.

The contract measures for the five PSAs are as follows:

SBE Goods & Services	SBE A/E	SBE Construction	CWP Program
N/A	100% Set Aside	N/A	N/A

Firms awarded include Sub Consultants Goals for the following SBE A/E Services:

Firm	SBE A/E Services
CES Consultants, Inc.	7% Goal for Electrical, Scada; and 3% Goal for Survey/SUE/Easements/ROW
Miller, Legg & Associates, Inc.	45% Goal for Civil Engineering, Environmental Engineering, Project Controls, Hydraulic Model; 3% Goal for Structural; and 5% Goal for Mechanical Electrical and Plumbing Quality Assurance/Quality Control
SRS Engineering, Inc.	20% Goal for Quality Control, Electrical/Mechanical and Engineering Support; 10% Goal for Structural; and 5% Goal for Surveyors

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Premier Design Solutions, Inc.	20% Goal for Civil Engineering, Environmental Engineering, Project Control, Hydraulic Model; 2% Goal for Structural; and 2% Goal for Mechanical Electrical and Plumbing Quality Assurance/Quality Control
C Solutions, Inc.	5% Goal for Surveying and Mapping; 10% Goal for Electrical Engineering; and 34% Goal for Permitting and Project Controls

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 11A5  
File No. 172522**

**Researcher: AIP    Reviewer: PGE**

RESOLUTION CREATING A BISCAYNE BAY TASK FORCE; SETTING FORTH POWERS AND RESPONSIBILITIES OF SUCH TASK FORCE; PROVIDING FOR A REPORT; AND PROVIDING FOR SUNSET

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the creation of a Biscayne Bay Task Force.

**APPLICABLE LEGISLATION/POLICY**

Florida Statutes Section 286.011 (*Public meetings and records; public inspection; criminal and civil penalties*):

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0286/Sections/0286.011.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0286/Sections/0286.011.html)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Rebeca Sosa, District 6**

**Department/Requester: None**

**11/16/17:** Item was forwarded to the BCC by the BCC Chairman due to lack of a quorum at the Economic Development and Tourism Committee

**11/21/17:** Item was deferred by the Board at the request of the sponsor.

**FISCAL IMPACT**

No fiscal impact has been determined.

**ANALYSIS**

This item seeks authorization to create a Biscayne Bay Task Force that will solely advise the Board on the various issues that affect Biscayne Bay, such as: long-term management of Biscayne Bay, overfishing, health of marine life, water quality, and more. These issues not only affect the environment, but can have significant impact on businesses, quality of life of residents, and the economy of the County.

The Board shall consist of 9 members as follows:

- (a) One member who possesses an expertise in civil engineering with a focus on infrastructure;
- (b) One member who is a real estate developer or possesses an expertise in coastal real estate development;
- (c) One member who possesses an expertise in water quality related to Biscayne Bay;
- (d) One member who possesses an expertise in coastal ecology;
- (e) One member who possesses an expertise in coastal management;
- (f) One member who possesses an expertise in tourism and economic vitality;
- (g) Two members who are representatives of the community-at-large and have demonstrated an engagement in Biscayne Bay issues; and
- (h) Harvey Ruvin, the Clerk of Courts.

Within 30 days of the resolution being adopted, each commissioner may nominate individuals to be considered for service on the Task Force. Nominations shall be submitted to the Clerk of the Board. Interested experts may also submit their qualifications to the Clerk of the Board to be considered for service on the Task Force. Once

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**Research Notes**

nominations are submitted, the Clerk of the Board shall place an item on the BCC Agenda to discuss and approve the nominees and submissions.

The Task Force shall meet within 45 days of the effective date of the resolution and must meet at least four times before rendering its report to the Board. That report shall be in writing and provide the Board with recommendations within 180 days of the effective date of this resolution.

**ADDITIONAL INFORMATION**

As stated in the item, Biscayne Bay is an important part of the County due to the high amount of tourism and commercial and recreational fishing. Miami-Dade County receives an estimated 15.7 million overnight visitors a year, with the vast majority of them going to the beaches and Biscayne Bay being the most heavily visited areas.

Greater Miami and the Beaches – 2016 Visitor Industry Overview:

<http://partners.miamiandbeaches.com/~media/files/gmcvb/partners/research%20statistics/annual-report-2016>



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Research Notes**

**Item No. 11A7  
File No. 172825**

**Researcher: BM Reviewer: TD**

RESOLUTION APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI BEACH FOR THE TRANSFER OF THE EASTERN SHORES SECURITY GUARD SPECIAL TAXING DISTRICT AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve this resolution amending Inter-local agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores Security Guard Special Taxing District.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R2017-99 was adopted and passed by the City of North Miami Beach October 17, 2017, which ratified and accepted the resolution passed by the Board of Miami-Dade County to approve the agreement. This resolution is not available at this time online.

Resolution No. R-854-17 adopted October 3, 2017 approved the transfer of the Eastern Shores Security Guard Special Taxing District to the City of North Miami Beach.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-854-17.pdf>

Section 18-3.1 of the Code of Miami-Dade County governs Municipal special taxing districts.

[https://library.municode.com/fl/miami - dade county/codes/code\\_of\\_ordinances?nodeId=CD\\_MIAMI-DADE\\_CO\\_FLORIDA\\_CH18IMSPRDI\\_ARTISPTADI\\_S18-3.1MUSPTADI](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH18IMSPRDI_ARTISPTADI_S18-3.1MUSPTADI)

Section 197.3632 of the Florida Statutes governs uniform method for the levy, collection, and enforcement of non-ad valorem assessments.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0100-0199/0197/Sections/0197.3632.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0197/Sections/0197.3632.html)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally Heyman, District 4**

This item has no procedural history.

**FISCAL IMPACT**

If approved by the Board, the plan under the proposed resolution will have no fiscal impact to the County budget.

**ANALYSIS**

Whether the Board should approve this resolution amending Inter-local agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores Security Guard Special Taxing District.

As stated in the mayoral memo, on October 3, 2017 the Board adopted resolution No. R-854-17 which approved the transfer of Eastern Shores Security Guard Special Taxing District to the City of North Miami Beach, approving an inter-local agreement to effectuate the transfer.

**BCC Meeting: December 19, 2017**  
**Research Notes**

The purpose of the amended Inter-local agreement is to complete the transfer of the Special Taxing District 30 days after the favorable election by the qualified electors residing in the Special Taxing Districts, which was held December 5, 2017.

The resolution that was adopted on October 3, 2017 authorized the transfer of the Special Taxing District. The City of North Miami Beach will be the new governing body for the Special Taxing District, and the property owners within the Special Taxing District will continue to pay special assessments appropriately according to the special benefit they receive from the Special Taxing District's services.

The amended agreement which is included as an attachment with the mayoral memo states that 30 days after the effective date, the Board will no longer be the governing body of the Special Taxing District and the City Commission of North Miami Beach will be the governing board of the Special Taxing District.

On the transfer date, Miami-Dade County will cease all involvement, including all operations and maintenance for the Special Taxing District and the City of North Miami Beach will be exclusively responsible for the Special Taxing District.

The City of North Miami Beach will be responsible for establishing assessment rates and collecting assessments for the Special Taxing District beginning with the 2018 tax year. If the City of North Miami Beach intends on using the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, the City shall comply with the requirements of Section 197.3632 of the Florida Statutes and shall make such arrangements with the Miami-Dade County Office of the Property Appraiser and Miami-Dade County Tax Collector. The amended agreement has much more information in detail.

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. 11A8**

**File No. 172830**

**Researcher: SM Reviewer: PGE**

RESOLUTION APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI BEACH FOR THE TRANSFER OF THE EASTERN SHORES FIRST ADDITION SECURITY GUARD SPECIAL TAXING DISTRICT AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve this resolution amending Inter-local agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores First Addition Security Guard Special Taxing District.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R2017-99 was adopted and passed by the City of North Miami Beach October 17, 2017, which ratified and accepted the resolution passed by the Board of Miami-Dade County to approve the agreement. Copy of the resolution is not available at this time online.

Resolution No. R-852-17 adopted October 3, 2017 approved the transfer of the Eastern Shores First Addition Security Guard Special Taxing District to the City of North Miami Beach.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-852-17.pdf>

Section 18-3.1 of the Code of Miami-Dade County governs Municipal special taxing districts.

[https://library.municode.com/fl/miami - dade county/codes/code\\_of\\_ordinances?nodeId=CD MIAMI-DADE CO FLORIDA CH18IMSPRPDI ARTISPTADI S18-3.1MUSPTADI](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH18IMSPRPDI_ARTISPTADI_S18-3.1MUSPTADI)

Section 197.3632 of the Florida Statutes governs uniform method for the levy, collection, and enforcement of non-ad valorem assessments.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0100-0199/0197/Sections/0197.3632.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0197/Sections/0197.3632.html)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman, District 4**

This item has no procedural history.

**FISCAL IMPACT**

Resolution No. R-852-17 adopted October 3, 2017 states that the transfer of the Special Taxing District will not result in an economic impact to Miami-Dade County.

**ANALYSIS**

This item proffers an Amended Interlocal Agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores First Addition Security Guard Special Taxing District.

**BCC Meeting: December 19, 2017**  
**Research Notes**

A **Special Taxing District** is a designated area where a majority of property owners agree to allow Miami-Dade County, through Chapter 18 of Miami-Dade Code, to levy a **special** property **tax** in exchange for a specific service. Special Taxing Districts gives communities the opportunity to make improvements in the public areas of their neighborhoods which could not be conveniently or equitably done otherwise. Improvements include: street lighting; security guard services; guardhouses; multipurpose maintenance and capital improvements/road maintenance

As stated in resolution, on October 3, 2017 the Board adopted resolution No. R-852-17 which approved the transfer of Eastern Shores First Addition Security Guard Special Taxing District to the City of North Miami Beach, approving an inter-local agreement to effectuate the transfer.

The purpose of the amended Inter-local agreement is to complete the transfer of the Special Taxing District 30 days after the favorable election by the qualified electors residing in the Special Taxing Districts, which was held December 5, 2017.

The resolution that was adopted on October 3, 2017 authorized the transfer of the Special Taxing District. The City of North Miami Beach will be the new governing body for the Special Taxing District, and the property owners within the Special Taxing District will continue to pay special assessments appropriately, according to the special benefit they receive from the Special Taxing District's services.

The amended agreement which is included as an attachment with the mayoral memo states that 30 days after the effective date, the Board will no longer be the governing body of the Special Taxing District and the City Commission of North Miami Beach will be the governing board of the Special Taxing District.

On the transfer date, Miami-Dade County will cease all involvement, including all operations and maintenance for the Special Taxing District and the City of North Miami Beach will be exclusively responsible for the Special Taxing District.

The City of North Miami Beach will be responsible for establishing assessment rates and collecting assessments for the Special Taxing District beginning with the 2018 tax year. If the City of North Miami Beach intends on using the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, the City shall comply with the requirements of Section 197.3632 of the Florida Statutes and shall make such arrangements with the Miami-Dade County Office of the Property Appraiser and Miami-Dade County Tax Collector. The amended agreement has more information in detail.

**ADD-ON ITEMS INCLUDED BELOW**

**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. TBD**  
**File No. 172460**

**Researcher: BM Reviewer: PGE**

RESOLUTION WAIVING FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1(B)(1) OF THE CODE OF MIAMI-DADE COUNTY AND AUTHORIZING AWARD OF ADDITIONAL TIME OF FIVE YEARS AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$1,000,000.00 FOR CONTRACT NO. RFI25 FOR THE PURCHASE OF AN EXECUTIVE AND MID-MANAGEMENT DEVELOPMENT PROGRAM FOR THE HUMAN RESOURCES DEPARTMENT; BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; 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 a resolution waiving competitive bidding procedures for good and services, pursuant to Section 2-8.1 of the County Code, and approve a modification to Contract No. RFI25, Executive and Mid-Management Development Program contract, by five years and increase expenditure authority by \$1,000,000 in order to ensure continuity of services for a comprehensive development program for the Human Resources Department for County executives and mid-level managers.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code, Contracts and purchases generally, relates to the bid requirement for certain purchases. Per the County Code, the Board of County Commissioners, upon written recommendation of the Mayor or Mayor's designee, may, by resolution adopted by two-thirds vote of the members present, waive competitive bidding when it finds this is to be in the best interest of the County.

Below is a link relating to Section 2-8.1 of the County Code:

[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, Master Procurement Implementing Order, establishes the roles and responsibilities of the Internal Services Department (ISD), methods of purchasing goods and services, and the authority to award contracts. Additional policies and procedures relating to the County's procurement processes are detailed in the ISD Procurement Guidelines, other A.O.s and the County Code.

Below is a link relating to Implementing Order 3-38:

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

Section 5.03(D) Home Rule Charter, Financial Administration, relates to contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

The link below relates to Section 5.03(D) Home Rule Charter:

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

Ordinance No. 05-136, referred to as the Governing for Results Ordinance, was passed by the Board of County Commissioners (BCC) in July 2005. The ordinance outlines the County's 5-year strategic plan for improving revenues, constituent services and reducing operating costs.

This ordinance is not available on the internet.

## **BCC Meeting: December 19, 2017 Research Notes**

Resolution No. R-69-07, directed the administration to explore contracting opportunities with local universities. This resolution was adopted by the Board on January 25, 2007.

The link below relates to Resolution No. R-69-07:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2007/R-69-07.pdf>

Resolution No. R-684-07, approved a five-year contract with a one-year option to renew period for with University of Miami, Florida International University, Miami Dade College, and Barry University. This resolution was adopted by the Board on June 5, 2007.

The link below relates to Resolution No. R-684-07:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2007/R-684-07.pdf>

Resolution No. R-391-17, relates to expansion of services under existing contracts with written justification of why competitive process is not feasible. This resolution was adopted by the Board on April 4, 2017.

The link below relates to Resolution No. R-391-17:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-391-17.pdf>

### **PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

At the December 12, 2017 GOC meeting, Commissioner Rebeca Sosa from District 6, wanted to ask about the contract and the existing allocation. She had a concern regarding the contract and why it requires a waiver since it has not been procured since 2007, she wanted to understand why it hasn't been procured since 2007 and an explanation as to why it has become a legacy contract. Namita Uppal, from procurement management explained the contract is with four local universities, Barry University, FIU, UM, and Miami-Dade College, and is being extended since they were entered into since 2007. Commissioner Sosa then mentioned that Miami-Dade College is not a University, and in January 25, 2007 the Board adopted R-69-07 directing the administration to explore contracting opportunities with local universities, and why is it being extended to a non-university. It was forwarded to BCC with a favorable recommendation by the GOC with a vote of 3-1.

### **FISCAL IMPACT**

If the proposed resolution is approved by the Board, the cumulative contract value for Contract No. RF125 will be \$9,250,000 and will expire on December 17, 2022.

The contract currently has an existing cumulative allocation of \$8,250,000 and expires on December 17, 2017. The requested allocation is based on anticipated development program needs.

The \$1,000,000 allocation request for the extension period is based on the anticipated development program needs.

### **ANALYSIS**

If approved by the Board, the proposed resolution waives the competitive bidding procedures, for goods and services pursuant to Section 2-8.1 of the County Code, and approve a modification to Contract No. RF125, Executive and Mid-Management Development Program contract by five years and increases expenditure authority by \$1,000,000 in order to ensure continuity of services for a comprehensive development program for County executives and mid-level managers.

**BCC Meeting: December 19, 2017**  
**Research Notes**

Contract No. RFI25 was approved by the Board on June 5, 2007, pursuant to Resolution No. R-684-07 for five years, with five, one-year option to renew periods. The contract currently expires on December 17, 2017.

The objective of the Executive and Mid-Management Development Program are to: (1) promote a broad-based understanding of the County's strategic direction and management philosophy; (2) Develop key leadership skills, and management competencies; and (3) Bolster employee morale, aid in recruitment & retention, and develop succession planning strategies.

The proposed resolution recommends waiving the competitive bidding procedures established in order to ensure continuity of service of the comprehensive development program for the Human Resources Department. Considering that it may be in the best interest of the County to authorize the non-competitive extension to avoid discontinuation of service and provide the development courses to County executives and mid-level managers as the specialized nature of and objective would not allow for feasible competition.



**BCC Meeting: December 19, 2017  
Research Notes**

**Item No. TBD**  
**File No. 172640**

**Researcher: SAP   Reviewer: PGE**

RESOLUTION ACCEPTING FIVE (5) ENVIRONMENTALLY ENDANGERED LANDS COVENANTS IN MIAMI-DADE COUNTY, FLORIDA

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the acceptance of five covenants running with the land for the preservation and maintenance of environmentally endangered lands for the Regulatory and Economic Resources Department.

**APPLICABLE LEGISLATION/POLICY**

Chapter 25B of the Code of Miami-Dade County governing Parks and Recreation Generally to include - Standards For Acceptance Of Conveyances Used For Scenic Outdoor Recreational Or Park Purposes Or Covenants Not To Use Land For Other Than Such Purposes

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch25b](http://miamidade.fl.elaws.us/code/coor_ptiii_ch25b)

Ordinance No. 79-105, adopted December 4, 1979, allows qualifying property owners to voluntarily enter into a 10-year covenant with the Board, stipulating that their property will be preserved and maintained in its natural state subject to one or more conservation restrictions.

<http://www.miamidade.gov/govaction/matter.asp?matter=102608&file=true&yearFolder=Y2010>

Florida Statutes Section 193.501 - Taxation and Finance: Assessment of lands subject to a conservation easement, environmentally endangered lands, or lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0100-0199/0193/Sections/0193.501.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0193/Sections/0193.501.html)

Resolution No. R-974-09, adopted 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>

Resolution No. R1085-15, adopted December 1, 2015, accepting 14 environmentally endangered lands covenants in Miami-Dade County.

<http://intra/gia/legistarfiles/MinMatters/Y2015/152529min.pdf>

**PROCEDURAL HISTORY**

**Co-Prime Sponsors: Commissioners Daniella Levine-Cava and Xavier L. Suarez**

This item was forwarded to the Board with a favorable recommendation from the Infrastructure and Utilities Committee at its December 12, 2017 meeting.

Chairman Monestime asked Deputy Mayor Jack Osterholt to prepare the appropriate memorandum requesting the Board of County Commissioners Chairman Bovo to waive the Board's Rules of Procedure to allow the foregoing proposed resolution to be heard at the Board of County Commissioners Meeting on December 19, 2017.

## **BCC Meeting: December 19, 2017 Research Notes**

At that meeting, the following discussion took place:

- The Committee inquired as to the difference between this item and the previous Metro Zoo pineland rock item and inquired on the recommendation on the Metro Zoo item.
- RER responded that approval for the project was recommended and the Department had issued a permit for Metro Zoo to preserve 43 acres and manage in perpetuity.
- The Committee inquired on how much of the pineland rock was lost at Metro Zoo.
- RER stated that the project was approximately 86 acres; however, some of the land was already developed in the past so the County preserved the best 43 acres of land.
- The Committee stated that there need to be some clarification because the recommendation was given to go ahead at Metro Zoo; however, money is now being spent to preserve it.
- RER explained that although the name is the same as the EEL program, these are EEL Covenants meaning private property owners who have applied to get a tax break on their property taxes by agreeing to preserve their property in 10 year blocks of time.
- The Committee inquired if property owners who have these types of land are notified that this program is available to them or are property owners researching on their own and applying.
- RER responded that that information will be provided to the Committee.
- The Committee inquired if these properties are identified across the County.
- RER responded that most of these areas are pine rockland habitats and the Department is aware of the value of these habitats; however, some of these customers are repeat customers, who have done this 10 years before and some are now getting renewals. Property owners are encouraged to take advantage of the program whenever they are not planning to develop their land and are willing to do onsite land management.
- The Committee asked whether a permit is required to develop in pineland rock.
- RER responded that only if it is designated as a National Force Community (NFC); however, not all pineland rock are designated as a NFC.

### **FISCAL IMPACT**

Under Section 193.501(3)(a), Florida Statutes, and Chapter 25A of the Code, these properties will receive preferential tax treatment through reductions in their assessed property values from the Miami-Dade Property Appraiser upon execution of the covenants and approval by the Board.

### **ANALYSIS**

This item seeks approval for five covenants in the County that meet the criteria for County acceptance under Chapter 25B of the Code. To qualify, these lands must have unique ecological characteristics, rare or limited combinations of geologic formations, features of a rare or limited nature. All five covenants include pine rocklands and/or hardwood hammock and under Ordinance No. 79-105 owners qualify to voluntarily enter into a 10-year covenant with the Board. Pine rockland is characterized by an open canopy of slash pine with a patchy understory of tropical and temperate shrubs and palms and a rich herbaceous layer of mostly perennial species including numerous species endemic to South Florida. A hardwood hammock is a habitat that is found on higher elevations, making it (like the pinelands) a dry habitat.

On December 1, 2015, the Board approved Resolution No. R-1085-15 accepting 14 EEL Covenants in Miami-Dade County. These covenants were properties located in Commission Districts 7, 8 and 9. The Code provides an economic incentive for owners of environmentally endangered lands, such as hammocks and pinelands, who choose to manage their land in a natural state and preserve the natural resources values. The five covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 10 years from the date the covenants

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are recorded, unless an instrument signed by the, then, owner(s) of the Properties has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.

The table below shows summary information about the five covenants.

Owner	Address	Commission District	Description
<i>New Covenants</i>			
Elinor B. Wolff TRS	6505 SW 135 Drive, Pinecrest	7	0.40 acres of rockland hammock <u>Note:</u> The inclusion of this property into the EEL covenant program represents a unique opportunity to preserve a remnant piece of the Warwick hammock.
Redland House & Farm LLC	26700 SW 182 Avenue, Miami	8	3.20 acres of transitional pine rockland/hardwood hammock <u>Note:</u> Future management of this property will center on maintaining slash pine canopy, maintaining low levels of exotics and native vines, and prescribed fire.
Frank R. and Gladys Elena Gibney	16881 SW 266 Terrace, Miami	8	1.72 acres of pine rockland/rockland hammock <u>Note:</u> The property owner has expressed the desire to maintain the native habitat on the site and the tax reduction associated with the EEL Covenant will help the property owner achieve this goal.
Stanley C. Kiem (LE) REM Kiem Foundation Trustees	11895 SW 94 Avenue, Miami	8	2.36 acres of tropical hardwood hammock <u>Note:</u> Future management of this property shall aim at eliminating invasive exotics, vine control, promoting native recruitment, the success of restoration planting and monitoring the rare native snail population.
<i>Renewal Covenant</i>			
Brett J. Dockendorf	In the vicinity of SW 152 and SW 221 Street, Miami	8	1.00 acres of transitional pine rockland/hardwood hammock <u>Note:</u> To keep this property from being completely cleared and developed, the property owner bought the property with the plan to clear the exotics and to continue the restoration work that was started a long time ago.

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**Item No. TBD**  
**File No. 172806**

**Researcher: BM Reviewer: PGE**

RESOLUTION WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE FOR THE EIGHTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY; APPROVING THE EIGHTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY FOR PROJECT SUPPORT SERVICES FOR THE TERMINAL OPTIMIZATION PROGRAM FOR THE MIAMI-DADE AVIATION DEPARTMENT, INCREASING THE CONTRACT VALUE BY \$3,000,000.00 AND EXTENDING THE TERM TO JULY 31, 2018; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL RIGHTS PROVIDED FOR IN THE AMENDMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should: (1) waive the competitive bid procedures pursuant to County Code Section 2-8.1 and Section 5.03(D) of the Home Rule Charter; (2) approve the Eight County amendment to the Consultant Agreement Project Support Services for the Terminal Optimization Program (TOP) at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G) allocating additional funding of \$3,000,000 and extending the term to July 31, 2018; and (3) authorize the Mayor or designee to execute the attached amendment.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

[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 5.03(D) Home Rule Charter, Financial Administration, relates to contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

The link below relates to Section 5.03(D) Home Rule Charter:

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

Resolution No. R-265-16, adopted by the Board on April 5, 2016, relates to a sixth amendment to the agreement to add \$3.3 million to the agreement.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2016/R-265-16.pdf>

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

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

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**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Aviation Department**

During the EDTC meeting December 14, 2017, Commissioner Rebeca Sosa from District 6 wanted to know when the new solicitation would be advertised and awarded, to make sure there are no problems with procurement. She asked the County attorney to prepare an item for her to sponsor which would require the inspector general to provide a background on any company that has been investigated in the County, or if the Company has failed to pay the County on time as it relates to a contract, or if the Company has had any bad ratings in general. The item was forwarded to BCC with a favorable recommendation that passed 3-0.

**FISCAL IMPACT**

If the proposed resolution is approved by the Board, it will add \$3,000,000 of funding and extend the term of Project No. B701D until July 31, 2018 for support services for the Terminal Optimization Program.

The additional allocation would increase the Total Authorized Amount from \$114,534,902 to \$117,534,902.

**ANALYSIS**

If approved by the Board, the resolution: (1) waives the competitive bid procedures pursuant to County Code Section 2-8.1 and Section 5.03(D) of the Home Rule Charter; (2) approves the Eight County amendment to the Consultant Agreement Project Support Services for the Terminal Optimization Program (TOP) at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G) allocating additional funding of \$3,000,000 and extending the term to July 31, 2018; and (3) authorizes the Mayor or designee to execute the attached amendment.

The Aviation Department has initiated its TOP in late 2014, in response to airlines request for more gates, as a \$1.149 billion capital improvement program to make MIA a more desirable and efficient transportation center. The TOP is intended to expand the functionality of existing terminal buildings, modernize older terminals, and provide safe and efficient terminal facilities for the next 20 to 30 years. The TOP has been broken into two phases with Phase I to cover the Fiscal Year 2015 to Fiscal Year 2018 time period and Phase II to cover the Fiscal Year 2019 to Fiscal Year 2025 time period. Phase I has been estimated to cost \$650.6 million and Phase II is estimated to cost \$498.0 million.

The TOP is primarily funded by bonds, federal and state grants, PFCs, and monies set aside from the Reserve Maintenance Fund and Improvement Fund.

The previous seven modifications to this agreement are summarized in the table below:

Modification	Effect
1	Increased the contract by \$2,500,000Cost or cost estimating, code research for Life Safety Master Plan, and additional support staff for the BHS; and exercised three (3) one-year renewal options for \$45,150,000
2	Allowed utilization of the available balance in the Basic Services allocation to fund work authorized as Dedicated Services or Reimbursable Expenses.
3	Extended the term to September 30, 2014.
4	Modified the term to January 31, 2015.
5	Extended the term to January 31, 2018, and expanded the scope of work.

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6	Added \$3,300,000 to continue providing services at MIA
7	Added \$2,800,000 to continue providing services at MIA.

The most recent amendment was approved by the Board on June 6, 2017. This Amendment achieves the objective of providing the services needed to ensure that work is continued and contractors are paid on time. This Agreement will be in effect until the new agreement is awarded. The current vendor is Sequeira & Gavarette, Inc.

It is in the best interest of the County to waive competitive bid procedures pursuant to Miami-Dade County Code Section 2-8.1 in order to ensure the work is continued and contractors are paid on time.

**ADDITIONAL INFORMATION**

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Sequeira & Gavarette, Inc., has an active status and first filed and registered on 5/28/1986.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=SEQUEIRAGAVARRETE%20M327721&aggregateId=domp-m32772-3823619b-2cf0-4a95-a479-4617198d3cd5&searchTerm=Sequeira%20%26%20Gavarette%2C%20Inc&listNameOrder=SEQUEIRAGAVARRETE%20M327721>

More information is available at the link below regarding the Airport Master Plan and Capital Improvement Plan:  
[http://www.miami-airport.com/master\\_plan.asp](http://www.miami-airport.com/master_plan.asp)

Below is a link for the 2016 Comprehensive Annual Financial Report for the Miami-Dade Aviation Department:  
<http://www.miami-airport.com/library/pdfdoc/Miami-Dade%20Aviation%20Issued%20CAFR%20FS-%2003-10-2017.pdf>

Below is a link for the 2017 fiscal year adopted budget for the Miami-Dade Aviation Department:  
[http://www.miami-airport.com/library/pdfdoc/MDAD\\_2017\\_Budget.pdf](http://www.miami-airport.com/library/pdfdoc/MDAD_2017_Budget.pdf)

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**Item No. TBD  
File No. 172673**

**Researcher: AIP Reviewer: TD**

RESOLUTION AUTHORIZING RECEIPT AND EXPENDITURE OF SUPPLEMENTAL EMERGENCY SOLUTIONS GRANT FUNDS FOR FISCAL YEAR 2017 FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN A TOTAL AMOUNT NOT TO EXCEED \$4,100,000.00; RATIFYING THE COUNTY MAYOR'S OR THE COUNTY MAYOR'S DESIGNEE'S ACTION IN ISSUING A REQUEST FOR APPLICATIONS TO SELECT NON-PROFIT SERVICE PROVIDER SUB-GRANTEES AND APPROVING SUB-GRANTEES SELECTED; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO ENTER INTO GRANT AND SUB-GRANT AGREEMENTS WITH NON-PROFIT PROVIDERS, AND TO EXERCISE MODIFICATION, RENEWAL, AND TERMINATION CLAUSES CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the receipt and expenditure of supplemental Emergency solutions Grant (ESG) funds for Fiscal Year 2017 from the United States Department of Housing and Urban Development in the amount not to exceed \$4,100,000.

**APPLICABLE LEGISLATION/POLICY**

Ordinance 94-66 which established the Miami-Dade Homeless Trust:

<http://www.homelesstrust.org/library/ordinance-94-66.pdf>

Ordinance 762-17, passed 07/18/2018, previously authorizing \$150,000 of the ESG funds in question Lotus House:

<http://intra/gia/matter.asp?matter=171796&file=true&yearFolder=Y2017>

**PROCEDURAL HISTORY**

**Prime Sponsor: Vice Chairwoman Commissioner Audrey M. Edmonson, District 3**

**Department/ Requester: Miami-Dade Homeless Trust**

At the December 11, 2018 HSSC meeting, Commissioner Joe A. Martinez, District 11, brought up the question of losing significant capacity and what that exactly means.

Victoria Mallette from the Homeless Trust responded that in the 2015 notice of funding availability, the Homeless Trust lost approximately \$6 million in addition to losing the funding they lost capacity to house people in transitional housing beds.

**FISCAL IMPACT**

This item is of no negative fiscal impact to the County. The County will receive approximately \$4.1 million in Supplemental Emergency solutions Grant (ESG) funds from the U.S. Department of Housing and Urban Development. This is a one-time allocation with no expectation of future supplemental funding. The grant funds will be administered by the Miami-Dade County Homeless Trust.



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### **ANALYSIS**

On June 26, 2017, U.S. Congressman Mario Diaz-Balart, Chairman of the Transportation, Housing and Urban Development Appropriations Subcommittee, announced that Miami-Dade County would receive approximately \$4.1 million in supplemental Emergency Solutions Grant (ESG) funds from the U.S. Department of Housing and Urban Development for FY 2017. Funds were provided to Continuums of Care that lost significant capacity to serve the homeless after January 2016, which included Miami-Dade County. The supplemental funding is being provided to the Homeless Trust through Miami-Dade Public Housing and Community Development (PHCD). PHCD is revising its annual Action Plan to reflect these supplemental funds.

The United States Department of Housing and Urban Development (HUD) provides a variety of grants to local municipalities to fund programs that fit in with their mission to “create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination, and transform the way HUD does business”.

While ESG funds can be used for a number of homeless related activities, the Homeless Trust earmarked these funds for rental assistance for homeless and at-risk households, in line with U.S. Housing and Urban Development priorities.

More information on HUD grants: [https://www.hud.gov/program\\_offices/spm/gmomgmt/grantsinfo](https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo)

On July 26, 2017, the Homeless Trust issued an RFA seeking applications for Rapid Rehousing and Homeless Prevention. Attached in the item is a list of the non-profit and governmental housing and service providers which were selected through the competitive RFA. The RFA was duly advertised, workshops were held for interested applicants, and a selection committee was appointed pursuant to standard processes.

The Homeless Trust Executive Committee reviewed and approved the proposed recommendations on September 8, 2017. Additionally, \$150,000.00 of Supplemental ESG was previously earmarked for Lotus House as outlined in Resolution No. R 762-17. The balance of Supplemental ESG award includes 3.75% for Homeless Trust program administration.

### **ADDITIONAL INFORMATION**

The Miami-Dade County Homeless Trust was established by Miami-Dade County Ordinance 94-66, the Trust was formed to:

- Administer proceeds of a one-percent (1%) food and beverage tax;
- Implement the local continuum of care plan called the Miami-Dade County Community Homeless Plan; and
- Serve in an advisory capacity to the Board of County Commissioners on issues involving homelessness.

According to the Homeless Trust website, The 2017 Plan priorities for the organization are:

- Housing: Emergency, Transitional, Permanent Housing & Rapid Re-Housing;
- Coordinated Outreach, Assessment and Placement;
- Homeless Prevention and Diversion;
- Support Services;
- Effective Use of Data;
- Governance & Resource Maximization;



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- Quality Assurance; and
- Homeless Plan.

For more information go to the Homeless Trust website: <http://www.homelesstrust.org/about-homeless-trust.asp>