



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

Board of County Commissioners Meeting

January 23, 2019
9:30 A.M.
Commission Chambers

Thomas B. Davis, Esq.
Director, Policy and Legislation
Office of the Commission Auditor (OCA)
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Miami, FL 33128
(305) 375-2524

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**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 5G
File No. 190033**

Researcher: LE Reviewer: TD

RESOLUTION APPROVING AS A GOVERNMENTAL FACILITY THE PLAN FOR THE EUREKA MIAMI-DADE FIRE RESCUE DEPARTMENT AND MIAMI-DADE POLICE DEPARTMENT FACILITY TO BE GENERALLY LOCATED LYING SOUTH OF SW 184 STREET/EUREKA DRIVE AT APPROXIMATELY SW 154 AVENUE, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve as a governmental facility the plan for the Eureka Miami-Dade Fire Rescue Department and Miami-Dade Police Department facility to be generally located lying south of SW 184 Street/Eureka Drive at approximately SW 154 Avenue.

APPLICABLE LEGISLATION/POLICY

Section 33-303 of the Miami-Dade County Code, pertains to the exclusive procedure for zoning in the unincorporated areas or where the County retains zoning jurisdiction in incorporated areas with the exception for approval of governmental facilities.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPRZOUNARWHCOREZOJUINAREXAPGOFA

Resolution No. R-234-18, adopted by the Board on March 6, 2018, directs the County Mayor or its Designee to evaluate the long-term policing strategy for South Miami-Dade County, make recommendations regarding the potential for a new policing district and a resizing of the south district, and prepare and submit a report to the Board.

<http://intra/gia/matter.asp?matter=180209&file=true&yearFolder=Y2018>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8

Department/Requester: Regulatory and Economic Resources

The item is set for public hearing at the BCC meeting on January 23, 2019.

ANALYSIS

This item is requesting Board approval for the plan for the Eureka Miami-Dade Fire Rescue Department (MDFR) and Miami-Dade Police Department (MDPD) facility to be generally located lying south of SW 184 Street/Eureka Drive at approximately SW 154 Avenue as a governmental facility.

The new facility will be funded through fire and police impact fees.

The facility will be located in Commission District 8 and is located outside of the Urban Development Boundary (UBD) and is designated as "Agriculture" on the Adopted 2020 and 2030 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Fire-rescue and police stations are public facilities that are necessary to protect the public and community welfare. MDFR and MDPD have not been successful in acquiring a suitable location inside of the UBD. The Planning Division finds the proposed facility to be consistent with the CDMP based on the uses described and the CDMP goals, objectives, and policies.

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The size of the parcel is approximately 10 acres and the proposed Eureka Fire Station and Police Station Facility will occupy 7-acres. The fire station will be constructed first and will built on the rear 2-acres and the police station will be built on the front 5-acres of land. The remaining 3-acres along the southern part of the parcel will be preserved for agricultural use through a recorded conservation easement. A Miami-Dade County agency or private party by means of a lease agreement will be able to use it. The proposed dual facility is expected to be the first of its kind in Miami-Dade County.

The facility will consist of the following:

- A 12,000 sq. ft. fire station with
 - Parking
 - Fueling facility
 - Security fence
 - Trash disposal
 - Landscaping
- A 22,000 sq. ft. police station;
- A 199-foot tall radio communications monopole for emergency radio coverage across Miami-Dade County
- A 3,400 sq. ft. area for vehicle maintenance

The development is expected to be completed by the end of 2021. The construction of the police station is expected to start at a later date that has not yet been determined. Once Miami-Dade Police Department (MDPD) has a proposed site plan for the facility, a separate Governmental Facilities application will be filed.

The image below is where the proposed fire station and police station facility will be constructed (Folio No. 30-6904-000-0230).

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Address Owner Name Subdivision Name Folio

SEARCH: 30-6904-000-0230

PROPERTY INFORMATION

Folio: 30-6904-000-0230

Sub-Division:

Property Address

Owner
KROME GROVES LLC

Mailing Address
PO BOX 900596
HOMESTEAD, FL 33090

PA Primary Zone
9000 AGRICULTURE

Primary Land Use
6681 AVOCADO GROVES : VACANT LAND

Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	2,856,407.2 Sq.Ft
Year Built	0

Map View Layers

2018 Aerial Photography 900ft

DEPARTMENTAL INPUT

On January 17, 2019, the Office of the Commission Auditor posed the following questions to the Regulatory and Economic Resources Department and is currently awaiting a response:

- Since the facility will be funded through fire and police impact fees, what is the total projected cost of the facility?

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Research Notes**

**Item No. 5H
File No. 183033**

Researcher: LE Reviewer: TD

RESOLUTION APPROVING AS A GOVERNMENTAL FACILITY THE PLAN FOR THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT SLUDGE LAGOON TO BE GENERALLY LOCATED APPROXIMATELY 1,040 FEET WEST OF THE FLORIDA TURNPIKE AND SOUTH OF NW 74 STREET, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve as a governmental facility the plan for the Miami-Dade County Water and Sewer Department sludge lagoon to be generally located approximately 1,040 feet west of the Florida Turnpike and south of NW 74 Street.

APPLICABLE LEGISLATION/POLICY

Section 33-303 of the Miami-Dade County Code, pertains to the exclusive procedure for zoning in the unincorporated areas or where the County retains zoning jurisdiction in incorporated areas with the exception for approval of governmental facilities. Prior to the construction or operation of a governmental facility in unincorporated areas of Miami-Dade County, a favorable public hearing before the Board is required.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-
303EXPRZOUNARWHCOREZOJUINAREXAPGOFA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPRZOUNARWHCOREZOJUINAREXAPGOFA)

Section 24-43(11) of the Miami-Dade County Code, prohibits the operation of a resource recovery facility within a Wellfield protection area.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQPACOARB
IBAENENTRFUENENLAPR_ARTIIWASOQU_DIV2WEPRDOWESYPOWAST_S24-43PRUTPOWASUWE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQPACOARB_IBAENENTRFUENENLAPR_ARTIIWASOQU_DIV2WEPRDOWESYPOWAST_S24-43PRUTPOWASUWE)

Section 24-5 of the Miami-Dade County Code defines “resource recovery and management facility” as any facility the purpose of which is disposal, recycling, incineration, processing, storage, transfer, or treatment of solid or liquid waste.

[https://library.municode.com/fl/miami - dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH24ENPRBIBAEND
EAQPACOARBIBAENENTRFUENENLAPR_ARTIINGE_DIV1GEPR_S24-5DE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR_ARTIINGE_DIV1GEPR_S24-5DE)

Section 24-42 of the Miami-Dade County Code prohibits against discharge in any of the waters of Miami-Dade County, any organic or inorganic matter which exceeds the effluent standards for the County, and/or cause water pollution.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQPACOARBIBA
ENENTRFUENENLAPR_ARTIIWASOQU_DIV1WAQUWASASEPRST_S24-42PRAGWAPO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR_ARTIIWASOQU_DIV1WAQUWASASEPRST_S24-42PRAGWAPO)

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Jose “Pepe” Diaz, District 12
Department/Requester: Regulatory and Economic Resources**

The item is set for public hearing at the BCC meeting on January 23, 2019.

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Research Notes

ANALYSIS

This item is requesting Board approval for the plan for the Miami-Dade County Water and Sewer Department (WASD) sludge lagoon to be generally located approximately 1,040 feet west of the Florida Turnpike and south of NW 74 Street as a governmental facility.

The new lagoon will be funded through WASD capital funds.

Calcium carbonate residuals are generated through the lime-softening process utilized in the production of drinking water at the Hialeah-Preston Water Treatment Plant (WTP). The residuals produced from this facility are currently conveyed through a 16-inch calcium carbonate pipeline to an existing sludge lagoon located on a WASD-owned property north of the proposed site.

The proposed lagoon will be located in Commission District 12 and the parcels are located outside of the Urban Development Boundary (UBD), located west of the Florida Turnpike south of theoretical NW 74 Street and contains existing rock pits. The parcels are an approximately 87.95-acre site and will be utilized to dispose of calcium residuals produced at the Hialeah-Preston Water Treatment Plant. The current site will only be able to withhold deposits for another two years while the proposed site is anticipated to provide more than 100 years of disposal capacity. The new site is required for the continued disposal of residual calcium carbonate and allow for continued production of drinking water from the Hialeah-Preston Water Treatment Plant. Once the site is acquired, the existing calcium carbonate pipeline connection, which borders the proposed site, will be abandoned and a new connection will be built to extend the pipeline to the new site.

DERM finds the proposed facility to be consistent with the CDMP based on the uses described and the CDMP goals, objectives, and policies.

Section 24-5 of the Miami-Dade County Code defines “resource recovery and management facility” as any facility the purpose of which is disposal, recycling, incineration, processing, storage, transfer, or treatment of solid or liquid waste.

The Division of Environmental Resources Management (DERM) has reviewed the governmental facilities application and finds that it is in compliance with requirements of Chapter 24 of the Miami-Dade County Code for potable water service, wastewater disposal, and wellfield protection. The calcium carbonate residual does not present any threats or toxicity.

The completion of the lagoon is expected to be completed by 2020.

The image below is where the proposed lagoon will be constructed (Folio No. 30-3913-000-0030 and includes a portion of Folio No. 30-3913-000-0040).

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SEARCH: 30-3913-000-0030

PROPERTY INFORMATION

Folio: 30-3913-000-0030

Sub-Division:

Property Address

Owner
VECELLIO & GROGAN INC
C/O JAMES M HURLEYS

Mailing Address
WHITE RK QUARRIES 101 SANBURY WAY
WEST PALM BEACH, FL 33411

PA Primary Zone
8900 INTERIM-AWAIT SPECIFIC ZO

Primary Land Use
9981 ACREAGE NOT CLASSIFIED AG : VACANT LAND

Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	3,488,247.2 Sq. Ft
Year Built	0

DEPARTMENTAL INPUT

On January 18, 2019, the Office of the Commission Auditor posed the following questions to the Water and Sewer Department. The responses below are italicized.

- Since the lagoon will be funded through WASD capital funds, what is the total projected cost of the facility?
 - *The lake was purchased for \$5,150,000.*
- Are there other methodologies for the use of the calcium carbonate residuals?
 - *The calcium carbonate presents no risks or contamination and is a byproduct of processing water at the water treatment plant. The calcium carbonate is a solid byproduct and behaves and settles down like sediment.*
- Does the residual matter present any threats or toxicity to the ground water?
 - *The calcium carbonate will not affect the water.*

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**Item No. 7A
File No. 182891**

Researcher: LE Reviewer: TD

ORDINANCE RELATING TO ZONING REGULATION OF SIGNS; AMENDING SECTION 33-82 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE CITY OF MIAMI TO OPT OUT OF CERTAIN MIAMI-DADE COUNTY SIGN REGULATIONS IN THE CITY OF MIAMI URBAN CORE; AMENDING SECTION 33-84 OF THE CODE; EXPANDING THE AREA DEFINED AS THE CITY OF MIAMI URBAN CORE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEMS UNDER FILE NOS. 182278, 182659]

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 33-82 of the Miami-Dade County Code to authorize the City of Miami to opt out of certain Miami-Dade County sign regulations in the City of Miami Urban Core; amend Section 33-84 of the Code to expand the City of Miami Urban Core.

APPLICABLE LEGISLATION/POLICY

Section 33-82 of the Miami-Dade County Code currently provides that the Sign Code of Miami-Dade County shall be applicable in the incorporated and unincorporated areas of Miami-Dade County.

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTVISI_DIV1TIAPPUDE_S33-82SHTIAP](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTVISI_DIV1TIAPPUDE_S33-82SHTIAP)

Section 33-84 of the Miami-Dade County Code provides definitions and the City of Miami Urban Core geographic area metes-and-bounds description.

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTVISI_DIV1TIAPPUDE_S33-84SHTIAP](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTVISI_DIV1TIAPPUDE_S33-84SHTIAP)

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey Edmonson, District 3

Department/Requester: None

There is no procedural history for this item.

ANALYSIS

The proposed ordinance amends Section 33-82 of the Miami-Dade County Code to opt out of certain Miami-Dade County sign regulations in the City of Miami Urban Core provided that the City of Miami has established its own regulation of signs. Section 33-84 is proposed to be amended to expand the City of Miami Urban Core.

There is no fiscal impact for this item.

Allowing the City of Miami to be able to opt of out certain regulations in the Sign Code and expand their boundaries will provide them opportunity and flexibility to advance aesthetic and commercial growth within the Urban Core because of the area's unique blend of commercial and residential uses. In order to ensure public safety and preserve community aesthetics, regulations governing the illumination of signs and murals will remain applicable in the Urban Core. The City of Miami will be able to opt of out the Sign Code of Miami-Dade County as long as the City has established their own regulation of signs and their exemption does not include regulations governing illumination of signs and murals.

During the December 11, 2018 GOC meeting, a substitute was presented and forwarded to the BCC with a favorable recommendation. Substitute No. 1 (182659) differs from the original (182278) in that it corrects the metes-and-bounds description.

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Substitute No. 2 (182891) differs from Substitute No. 1 in that it 1) includes the map that is to be deleted from the Code, which was included in the original item but was inadvertently left out of Substitute No. 1 and; 2) Corrects the new map to reflect the metes-and-bounds description revised in Substitute No. 1.

The table below shows the original Section 33-82 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 33-82 of the County Code	Proposed changes to Section 33-82 of the County Code
<p>Sec. 33-82. – Short title and applicability</p> <p>(a) This article shall be known as the "Sign Code of Miami-Dade County, Florida" and shall be applicable in the unincorporated areas of Miami-Dade County, and specifically in the incorporated areas of Miami-Dade County. When the provisions of this article are applicable to a municipality, the municipality shall be responsible for enforcement.</p> <p>(b) If property in the unincorporated area fronting a street right-of-way forms a common boundary with a municipality, and if the zoning classifications on both sides of the boundary are comparable, the property in the unincorporated area shall comply with the provisions of the municipal ordinance, provided the municipality has a sign ordinance with stricter standards than this article. In such event Miami-Dade County shall apply and enforce the provisions of the municipal ordinance in the unincorporated areas of the County. No variance from this section shall be permitted without the prior express consent of the affected municipality.</p>	<p>Sec. 33-82. – Short title and applicability</p> <p>(a) This article shall be known as the "Sign Code of Miami-Dade County, Florida" and shall be applicable in the unincorporated areas of Miami-Dade County, and specifically in the incorporated areas of Miami-Dade County. When the provisions of this article are applicable to a municipality, the municipality shall be responsible for enforcement.</p> <p>(b) If property in the unincorporated area fronting a street right-of-way forms a common boundary with a municipality, and if the zoning classifications on both sides of the boundary are comparable, the property in the unincorporated area shall comply with the provisions of the municipal ordinance, provided the municipality has a sign ordinance with stricter standards than this article. In such event Miami-Dade County shall apply and enforce the provisions of the municipal ordinance in the unincorporated areas of the County. No variance from this section shall be permitted without the prior express consent of the affected municipality.</p> <p>>>(c) <u>Notwithstanding the foregoing, this article shall not apply in the City of Miami Urban Core, as defined in this article, so long as the City of Miami has, by ordinance, opted out of this article as to that area and has established its own regulations of signs, provided, however, that any portion of the City of Miami Urban Core as to which the City of Miami has opted out of this article shall nevertheless remain subject to the regulations in this article governing illumination and murals, including, but not limited to, sections 33-84, 33-86, 33-94, 33-95, 33-96, 33-96.1, and 33-107. A copy of any municipal ordinance opting out of this article as to the City of Miami Urban Core, or establishing regulations</u></p>

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differing from this article as to the City of Miami Urban Core, shall be filed with the Director within 15 days after adoption by the City of Miami.<<

The table below shows the original Section 33-84 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 33-84 of the County Code	Proposed changes to Section 33-84 of the County Code
<p>Sec. 33-84. – Definitions</p> <p>For the purposes of this article the following words and phrases are hereby defined as provided in this section, unless the context clearly indicates otherwise. Where there is a question as to the correct classification or definition of a sign, the Director shall place said sign in the strictest category and/or classification.</p> <p style="text-align: center;">* * *</p> <p>(31) <i>City of Miami Urban Core</i>: The geographic area commencing at Biscayne Bay and the North side of NE 18th Street; thence West along the North side of NE 18th Street to the East side of NE 2nd Avenue; thence North along the East side of NE 2nd Avenue to the South side of NE 36th Street; thence East along the South side of NE 36 Street to the West side of Biscayne Boulevard; thence North along the west side of Biscayne Boulevard to the North side of I-195; thence West along the North side of I-195 to the East side of N. Federal Highway; thence North along the East side of N. Federal Highway to the North side of NE 39th Street; thence West along the North side of NE 39th Street to East side of NE 2nd Avenue; thence North along the East side of NE 2nd Avenue to North side of NE 40th Street; thence West along the North side of NE 40th Street to West side of N. Miami Avenue; thence South along West side of N. Miami Avenue to the North side of NW 25th Street; thence West along the North side of NW 25th Street to the East side of the theoretical extension thereto of NW 1st Court; thence North along the East side of the theoretical extension of</p>	<p>Sec. 33-84. – Definitions</p> <p>For the purposes of this article the following words and phrases are hereby defined as provided in this section, unless the context clearly indicates otherwise. Where there is a question as to the correct classification or definition of a sign, the Director shall place said sign in the strictest category and/or classification.</p> <p style="text-align: center;">* * *</p> <p>(31) <i>City of Miami Urban Core</i>: The geographic area commencing at Biscayne Bay and the North side of NE 18th Street; thence West along the North side of NE 18th Street to the East side of NE 2nd Avenue; thence North along the East side of NE 2nd Avenue to the South side of NE 36th Street; thence East along the South side of NE 36 Street to the West side of Biscayne Boulevard; thence North along the west side of Biscayne Boulevard to the North side of I-195; thence West along the North side of I-195 to the East side of N. Federal Highway; thence North along the East side of N. Federal Highway to the North side of NE 39th Street; thence West along the North side of NE 39th Street to East side of NE 2nd Avenue; thence North along the East side of NE 2nd Avenue to North side of NE 40th Street; thence West along the North side of NE 40th Street to West side of N. Miami Avenue; >><u>thence South along the West side of N. Miami Avenue to its intersection with the South limited access right-of-way line of the I-195 Eastbound exit ramp; thence West along said South limited access right-of-way line to the intersection with the South side of NW 37th Street; thence West along the South side of NW 37th Street</u></p>

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NW 1st Court to the North side of NW 27th Street; thence West along the North side of NW 27th Street to the West side of NW 2nd Avenue; thence South along the West side of NW 2nd Avenue to the South side of NW 19th Street; thence East along the South side of NW 19th Street to the West side of NW 1st Avenue; thence South along the West side of NW 1st Avenue to the North side of NW 16th Street; thence West along the North side of NW 16th Street to the West side of NW 3rd Avenue; thence South along the West side of NW 3rd Avenue to the North Side of the Dolphin Expressway; thence West along the North side of the Dolphin Expressway to the East side of I-95; thence North along the East side of I-95 to North side of NW 20th Street; thence West along the North side of NW 20th Street to the West side of NW 14th Avenue; thence South along the West side of NW 14th Avenue to the South side of the Dolphin Expressway; thence East along the South side of the Dolphin Expressway to the East bank of the Wagner Creek Canal; thence South 300 feet along the East bank of the Wagner Creek Canal; thence East running parallel 300 feet to the South of the Dolphin Expressway to the West side of NW 7th Avenue; thence North along the West side of NW 7th Avenue to the South side of the Dolphin Expressway; thence East along the South side of the Dolphin Expressway to the West side of I-95; thence South along the West side I-95 to the South side of SW 8th Street; thence East along the South side of SW 8th Street to the East side of S. Miami Avenue; thence North along the East side of S. Miami Avenue to the South side of the Miami River; thence East along the South side of the Miami River to the East side of Brickell Avenue; thence North along the East side of Brickell Avenue to the North side of the Miami River; thence East along the North side of the Miami River to Biscayne Bay; thence North along the Biscayne Bay shoreline to the point of beginning, as shown on the City of Miami Urban Core map shown below.

to the East side of NW 1st Avenue; thence South along the East side of NW 1st Avenue to the North side of NW 36th Street; thence East along the North side of NW 36th Street to the West side of N. Miami Avenue;<< thence South along West side of N. Miami Avenue to the North side of NW [[25th]] >>29th<<Street; thence West along the North side of NW [[25th]] >>29th<< Street to the East side of [[the theoretical extension thereto of NW 1st Court]] >>NW 6th Avenue<<; [[thence North along the East side of the theoretical extension of NW 1st Court; to the North side of NW 27th Street; thence West along the North side of NW 27th Street to the West side of NW 2nd Avenue;]] thence South along the [[West]] >>East<< side of NW [[2nd]] >>6th<< Avenue to the South side of NW [[19th]] >>22nd<< Street; thence East along the South side of NW [[19th]] >>22nd<< to the West side of NW [[1st]] >>5th<< Avenue; thence South along the West side of NW [[1st]] >>5th<< Avenue to the North side of NW [[16th]] >>22nd<< Street; thence [[West]] >>East<< along the North side of NW [[16th]] >>22nd<< Street to the West side of NW 3rd Avenue; thence South along the West side of NW 3rd Avenue to the North Side of the Dolphin Expressway; thence West along the North side of the Dolphin Expressway to the East side of I-95; thence North along the East side of I-95 to North side of NW 20th Street; thence West along the North side of NW 20th Street to the West side of NW 14th Avenue; thence South along the West side of NW 14th Avenue to the South side of the Dolphin Expressway; thence East along the South side of the Dolphin Expressway to the East bank of the Wagner Creek Canal; thence South 300 feet along the East bank of the Wagner Creek Canal; thence East running parallel 300 feet to the South of the Dolphin Expressway to the West side of NW 7th Avenue; thence North along the West side of NW 7th Avenue to the South side of the Dolphin Expressway; thence East along the South side of the Dolphin Expressway to the West side of I-95; >>thence South along the West side of I-95 to the North side of NW 5th Street; thence West along the North side of NW 5th Street to the West side of NW 6th Avenue; thence South on the West side of NW 6th Avenue to the West side of NW North River Drive; thence South along the West side of NW North River Drive to the north side of West Flagler

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Street; thence East along the north side of West Flagler Street to the West side of I-95;<< thence South along the West side I-95 to the South side of SW 8th Street; thence East along the South side of SW 8th Street to the East side of S. Miami Avenue; thence North along the East side of S. Miami Avenue to the South side of the Miami River; thence East along the South side of the Miami River to the East side of Brickell Avenue; thence North along the East side of Brickell Avenue to the North side of the Miami River; thence East along the North side of the Miami River to Biscayne Bay; thence North along the Biscayne Bay shoreline to the point of beginning, as shown on the City of Miami Urban Core map shown below.

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Research Notes**

**Item No. 7B
File No. 182568**

Researcher: LE Reviewer: TD

ORDINANCE RELATING TO THE PEOPLE'S TRANSPORTATION PLAN AND CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS; AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, BY A TWO-THIRDS VOTE OF THE COMMISSION MEMBERSHIP; REQUIRING MUNICIPALITIES TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS FOR ON-DEMAND TRANSPORTATION SERVICES; IMPOSING CERTAIN REQUIREMENTS FOR THE AGREEMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 29-124 of the Miami-Dade County Code to require municipalities to enter into an interlocal agreement with the County authorizing the use of Charter County Transportation System Surtax funds for on-demand transportation services and impose certain requirements for the agreement.

APPLICABLE LEGISLATION/POLICY

Section 29-124 of the Miami-Dade County Code, creates the special fund for surtax proceeds to be collected, provides the use of surtax proceeds, and the role of Citizens' Independent Transportation Trust.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: None

This item was adopted on first reading at the November 8, 2018 BCC meeting and was set for public hearing before the TPWC meeting on December 13, 2018.

Mayor of the Town of Miami Lakes, Manny Cid, Town of Miami Lakes Town Manager Alex Rey, and Transportation Planner Michelle Gonzalez spoke in opposition of the item. Mayor Cid stated that the ordinance was unnecessary because the entire process would add too much bureaucracy especially for providing on demand services, something they have done successfully in the past year, doubled ridership in 2018 using new services.

The first portion of the interlocal agreement pertains to safety requirements, which they believe they can do internally via a certification process on a yearly basis with the County. The second portion dealt with different fare implementation structures. Mayor Cid voiced concerns of the County micromanaging, and that there should be trust between both governments.

Commissioner Moss stated that the main intent of the item was to make sure there is coordination between municipalities and government, ensure on demand services are being provided utilizing PTP funds and surtax funds, and a way to coordinate particular services/systems County wide. In comparison with trolleys, there has not been much coordination and the County should have some opinion in how the process should run.

The item was forwarded to the BCC with a favorable recommendation.

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ANALYSIS

The proposed ordinance amends Section 29-124 of the Miami-Dade County Code requiring municipalities to enter into an interlocal agreement with the County to authorize the use of Charter County Transportation System Surtax funds for on-demand transportation services while requiring the city, operator, vehicles and chauffeurs to comply with applicable safety, mechanical and vehicle standards required by the County, state, and federal levels.

The proposed ordinance does not have a fiscal impact.

Section 29-124 of the County Code currently provides that municipalities may fund on-demand transportation services. The on-demand transportation service provides access to and from transit facilities and improves accessibility and mobility throughout the County as part of measures to decrease traffic congestion, decrease wait time, and provide more options for transportation. Some forms of these services will be shared-rides where vehicles will provide rides to more than one person/trip at a time. Municipalities must coordinate with the County to work on the implementation plan to determine use of surtax funds. The interlocal agreement shall also detail the implementation plan and provide fare structure for the on-demand services.

The table below shows the original Section 29-124 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 29-124 of the County Code	Proposed changes to Section 29-124 of the County Code
<p>Sec. 29-124. - Special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust.</p> <p>The surtax proceeds collected by the State and distributed hereunder shall be deposited in a special fund set aside from other County funds in the custody of the Finance Director of the County. Moneys in the special fund shall be expended for the transportation and transit projects (including operation and maintenance thereof) set forth in Exhibit 1 to this article (including those projects referenced in the ballot question presented to the electors to approve this levy) and the adopted Five Year Implementation Plan, subject to any amendments thereto made in accordance with the Transportation Planning Organization ("TPO") process or made in accordance with the procedures specified in subsection (d) of this section.</p> <p>Expenditure of surtax proceeds for contracts procured by or on behalf of Miami-Dade Transit or for transit-related procurements shall be subject to the following limitations:</p>	<p>Sec. 29-124. - Special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust.</p> <p>The surtax proceeds collected by the State and distributed hereunder shall be deposited in a special fund set aside from other County funds in the custody of the Finance Director of the County. Moneys in the special fund shall be expended for the transportation and transit projects (including operation and maintenance thereof) set forth in Exhibit 1 to this article (including those projects referenced in the ballot question presented to the electors to approve this levy) and the adopted Five Year Implementation Plan, subject to any amendments thereto made in accordance with the Transportation Planning Organization ("TPO") process or made in accordance with the procedures specified in subsection (d) of this section.</p> <p>Expenditure of surtax proceeds for contracts procured by or on behalf of Miami-Dade Transit or for transit-related procurements shall be subject to the following limitations:</p>

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* * *

(h) Twenty percent of surtax proceeds shall be distributed annually to those cities existing as of November 5, 2002 that meet the following conditions:

(i) That continue to provide the same level of general fund support for transportation that is in their FY 2001-2002 budget in subsequent Fiscal Years. Any surtax proceeds received shall be applied to supplement, not replace a city's general fund support for transportation;

(ii) That apply 20 percent of any surtax proceeds received to transit uses in the nature of circulator buses, bus shelters, bus pullout bays, on-demand transportation services as defined in Section 212.055(1)(e), Florida Statutes, as may be amended from time to time, or other transit-related infrastructure. The use of surtax proceeds for on-demand transportation services shall be limited to providing transportation services where the trip is no greater than 5 miles in distance and (1) where the origination or destination of the trip is solely within city boundaries; (2) where the origination of a trip is within city boundaries and the destination is the nearest Metrorail station or South Dade Transitway bus shelter; (3) where the origination of a trip is the Metrorail station or South Dade Transitway bus shelter closest to the city boundary of the city where the intended destination of the trip is located; or (4) where the origination or destination of the trip is a public transit park-and-ride facility. Each city that uses surtax proceeds for on-demand transportation services shall provide an annual report to the County describing the city's implementation of the on-demand transportation services in accordance with this paragraph. Any city that cannot apply the 20 percent portion of surtax proceeds it receives as provided in this paragraph, may contract with the County for the County to apply such proceeds on a County project that enhances traffic mobility within that city and immediately adjacent areas. If the city cannot expend such proceeds in accordance with this paragraph and does not contract with the County as described in this paragraph, then such proceeds shall

* * *

(h) Twenty percent of surtax proceeds shall be distributed annually to those cities existing as of November 5, 2002 that meet the following conditions:

(i) That continue to provide the same level of general fund support for transportation that is in their FY 2001-2002 budget in subsequent Fiscal Years. Any surtax proceeds received shall be applied to supplement, not replace a city's general fund support for transportation;

(ii) That apply 20 percent of any surtax proceeds received to transit uses in the nature of circulator buses, bus shelters, bus pullout bays, on-demand transportation services as defined in Section 212.055(1)(e), Florida Statutes, as may be amended from time to time, or other transit-related infrastructure. >>The use of surtax proceeds for on-demand transportation services must be authorized by an interlocal agreement with the County which has been approved by the Board of County Commissioners. The interlocal agreement shall require, among other things, that the city, operator, vehicles and chauffeurs comply with applicable safety, mechanical and vehicular standards required by the County, and any applicable state or federal requirements, and shall detail the implementation plan and fare structure for the on-demand services.<<The use of surtax proceeds for on-demand transportation services shall be limited to providing transportation services where the trip is no greater than 5 miles in distance and (1) where the origination or destination of the trip is solely within city boundaries; (2) where the origination of a trip is within city boundaries and the destination is the nearest Metrorail station or South Dade Transitway bus shelter; (3) where the origination of a trip is the Metrorail station or South Dade Transitway bus shelter closest to the city boundary of the city where the intended destination of the trip is located; or (4) where the origination or destination of the trip is a public transit park-and-ride facility. Each city that uses surtax proceeds for on-demand transportation services shall provide an annual report to the County

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carry over and be added to the overall portion of surtax proceeds to be distributed to the cities in the ensuing year and shall be utilized solely for the transit uses enumerated in this subsection (ii);

* * *

describing the city's implementation of the on-demand transportation services in accordance with this paragraph. Any city that cannot apply the 20 percent portion of surtax proceeds it receives as provided in this paragraph, may contract with the County for the County to apply such proceeds on a County project that enhances traffic mobility within that city and immediately adjacent areas. If the city cannot expend such proceeds in accordance with this paragraph and does not contract with the County as described in this paragraph, then such proceeds shall carry over and be added to the overall portion of surtax proceeds to be distributed to the cities in the ensuing year and shall be utilized solely for the transit uses enumerated in this subsection (ii);

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Item No. 8F1
File No. 182785

Researcher: LE Reviewer: TD

RESOLUTION APPROVING, BY A TWO-THIRDS VOTE OF BOARD MEMBERS PRESENT, A CONTRACT FOR SALE AND PURCHASE BETWEEN KROME GROVES, LLC AND PHOEBE VONP KROME FAMILY LIMITED PARTNERSHIP, AS SELLERS, AND MIAMI-DADE COUNTY, AS BUYER, FOR APPROXIMATELY TEN ACRES OF VACANT LAND IN THE PROXIMITY OF SW 184 STREET AND SW 157 AVENUE, UNINCORPORATED MIAMI-DADE COUNTY, IN THE AMOUNT OF \$1,000,000.00 AND UP TO \$30,000.00 OF LATE CLOSING PAYMENTS, AND AUTHORIZING THE EXPENDITURE OF UP TO \$6,000.00 FOR CLOSING COSTS, ONE-HALF OF WHICH SHALL BE FUNDED BY FIRE IMPACT FEES AND ONE-HALF OF WHICH SHALL BE FUNDED BY POLICE IMPACT FEES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT FOR SALE AND PURCHASE, EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE SAID PURCHASE AND ACCEPT CONVEYANCE OF PROPERTY BY WARRANTY DEED; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD SUCH DEED

ISSUE/REQUESTED ACTION

Whether the Board should approve a contract for sale and purchase between Krome Groves, LLC and Phoebe Vonp Krome Family Limited Partnership and Miami-Dade County for approximately ten acres of vacant land in the proximity of SW 184 Street and SW 157 Avenue in the amount of \$1,000,000.00 and up to \$30,000.00 of late closing payments; and authorize the expenditure of up to \$6,000.00 for closing costs.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-380-17, adopted by the Board on April 4, 2017, establishes Board policy regarding County-owned real property; requiring County Mayor or his designee to provide written notification to District Commissioner in which County-owned property lies no less than four weeks prior to 1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such County-owned property or 2) placing any item on the agenda of this Board or any committee of this Board requesting the approval of the sale, lease, or surplus of County-owned property.

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

Florida Statutes Section 125.355 provides that for each real property purchase exceeding the amount of \$500,000, the governing body needs to obtain at least two appraisals and if the agree purchase price exceeds the average appraised price of the two appraisals, the governing body is required to approve the purchase by an extraordinary vote.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=section+125.355&URL=0100-0199/0125/Sections/0125.355.html

Section 33.303 of the Miami-Dade County Code relates to the acquisition of property being contingent upon approval of a governmental facility hearing by the Board approving the proposed use.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPRZOUNARWHCOREZOJUINAREXAPGOFA

Section 2-8.6.5 of the Miami-Dade County Code delineates the purchase, sale, and lease of real property within the County.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

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Resolution No. 974-09, adopted on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a county interest in real property shall require such instruments to be recorded in Miami-Dade County public records and attached by the Clerk of the Board to the authorizing resolution.

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

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8

Department/Requester: Internal Services Department

During the PSHC meeting on December 12, 2018, the item was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is for Board approval, by a two-thirds vote, of a contract for sale and purchase between Krome Groves, LLC and Phoebe Vonp Krome Family Limited Partnership, as sellers, and Miami-Dade County, as buyer, for approximately ten acres of vacant land in District 8, located at SW 184 Street and SW 157 Avenue (a portion of Folio No. 30-6904-000-0230), in the amount of \$1,000,000.00 and up to \$30,000.00 of late closing payments; and authorize the expenditure of up to \$6,000.00 for closing costs.

The fiscal impact to the County is estimated to be \$1,006,000, which includes the \$1,000,000 for acquisition of the Property and approximately \$6,000 for closing costs. If the purchase of the Property does not occur by March 31, 2019, the County has agreed to pay the seller \$5,000 a month until the purchase occurs, not exceeding six months. The acquisition and any delayed closing costs will be divided amongst the Miami- Dade Fire Rescue and Miami-Dade Police departments, supported by the Fire Impact Fees and Police Impact fees.

Two appraisals were procured by the Internal Services Department (ISD) as required by Section 125.355 in the Florida Statutes. The first appraisal performed on July 15, 2018 valued the property at \$740,000 and the second appraisal performed on August 27, 2018 valued the property at \$800,000. Because the agreed purchase price exceeds the average of the two appraisals, the Board must approve the sale by two-thirds vote. The Fire Rescue and Police Departments have chosen this parcel of land for the purchase of \$1,000,000 because it was the lowest amount the seller was willing to accept and the lack of adequately sized and priced parcels within the Urban Development Boundary (UDB) contributed to their conclusion.

The County has expressed an interest in purchasing this property in order for Fire Rescue and Police to construct a fire station, police station, and a radio communications monopole (Eureka Facility), thus providing the area a wider range of services, close proximity to the area, and improve response times to the north due to the opening of a major road, SW 157 Avenue. The fire station will use five acres of the purchased land and use have one story, a 12,000 square foot facility, and three bays. The facility will house essential amenities such as staff and visitor parking, driveways, a fueling facility, security fencing, trash disposal area, and landscaping. A 199 foot radio communications monopole will be constructed by Fire Rescue on the five acre property and a private access drive will be created. On the other five acre half, the Police Department will construct a 22,000 square foot police station that will include a 3,400 square foot vehicle maintenance facility.

The 10 acres of vacant land tentatively being bought is part of a 65.62 acre parcel of agriculturally zoned land. Commissioner Daniella Levine Cava has requested a conservation easement to be placed in another County-owned 10 acre property outside of the UDB and restrict its use to agriculture to offset the loss of agricultural land in the UDB.

According to the Property Appraiser's website, from 2016-2018, the assessed market and land value for Folio No. 30-6904-000-0230 is \$1,640,500, a portion of which 10 acres will be purchased for \$1,006,000 including closing costs of up to \$6,000.

BCC Meeting: January 23, 2019 Research Notes

The photo below shows the proposed Property for purchase.

Address Owner Name Subdivision Name Folio

SEARCH: 30-6904-000-0230

PROPERTY INFORMATION

Folio: 30-6904-000-0230

Sub-Division:

Property Address

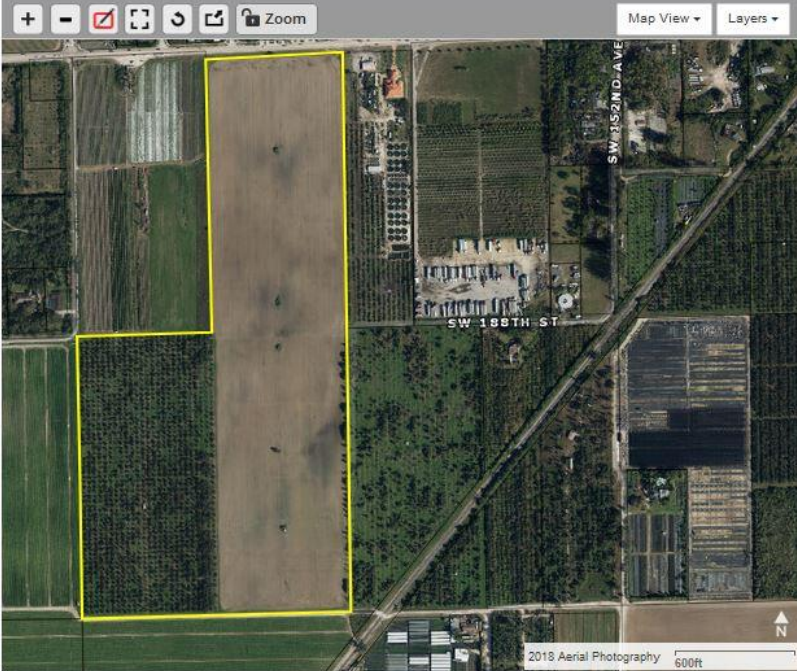
Owner
KROME GROVES LLC

Mailing Address
PO BOX 900596
HOMESTEAD, FL 33090

PA Primary Zone
9000 AGRICULTURE

Primary Land Use
6661 AVOCADO GROVES : VACANT LAND

Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	2,858,407.2 Sq.Ft
Year Built	0



Map View Layers

2018 Aerial Photography 600ft

ADDITIONAL INFORMATION

Comprehensive Development Master Plan (CDMP) expresses the County's general objectives and policies regarding development and conservation of land and natural resources over the next 10-20 years. Specifically, it addresses optimizing efficiency in public service delivery through departments such as Fire and Rescue and the Police Departments.

<https://www.miamidade.gov/planning/cdmp.asp>

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Research Notes**

Item No. 8F2

File No. 182730

Researcher: IL Reviewer: TD

RESOLUTION DECLARING SURPLUS ONE PARCEL OF VACANT COUNTY-OWNED PROPERTY LOCATED AT THE NORTHWEST CORNER OF 35401 SW 179 AVENUE, HOMESTEAD, FLORIDA (FOLIO NO. 30-7825-000-0225); AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY TO GATEWAY WEST CONDOMINIUM ASSOCIATION, THE SOLE ADJACENT PROPERTY OWNER, IN ACCORDANCE WITH SECTION 125.35(2) OF THE FLORIDA STATUTES, FOR ITS MARKET VALUE OF \$14,725.00 AS DETERMINED BY THE OFFICE OF THE PROPERTY APPRAISER; WAIVING ADMINISTRATIVE ORDER NO. 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY

ISSUE/REQUESTED ACTION

Whether the Board should (1) declare surplus one parcel of vacant County-owned property located at the northwest corner of 35401 SW 179 Avenue, Homestead, FL (Folio No. 30-7825-000-0225) (2) authorizing its private sale to Gateway West Condominium Association, the sole adjacent property for its market value of \$14,725.00 as determined by the office of the property appraiser, (3) waiving the planning advisory board review.

APPLICABLE LEGISLATION/POLICY

Section 125.35(2) of the Florida Statutes County authorized to sell real and personal property and to lease real property. The board of county commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property belonging to the county, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine. When the board of county commissioners finds that a parcel of real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property or when the board of county commissioners finds that the value of a parcel of real property is \$15,000 or less, as determined by a fee appraiser designated by the board or as determined by the county property appraiser, and when, due to the size, shape, location, and value of the parcel, it is determined by the board that the parcel is of use only to one or more adjacent property owners, the board may effect a private sale of the parcel.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0193/Sections/0193.501.html

Administrative Order No. 8-4, governs the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable.

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

Resolution No. R-974-09 adopted on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution

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

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Research Notes

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: Internal Services Department

The item was brought before the Government Operations Committee and forwarded to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

This item proposes that the Board declare surplus one parcel of vacant County-owned property located at the northwest corner of 35401 SW 179 Avenue, Homestead, FL (Folio No. 30-7825-000-0225) authorizing its private sale to Gateway West Condominium Association (Gateway), the sole adjacent property for its market value of \$14,725.00 as determined by the office of the property appraiser, (2) waiving the planning advisory board review.

The fiscal impact of this item eliminates the County's financial obligation to maintain the property at approximately \$590.00 per year and place the property on the tax roll, generating approximately \$257.00 in annual ad valorem taxes. This is in addition to \$14,725.00 purchase a price from Gateway.

The County owned vacant parcel of land through the Miami-Dade Water and Sewer Department (WASD) adjacent to Pump Station No. 172 which is also managed by WASD. Gateway sent a formal request to WASD inquiring about the possible purchase of the vacant parcel. Gateway's residents will use the gravel lot to park trucks, cars, motorcycles, watercrafts, trailers and recreational vehicles. The property's market value according to the mayoral memo is \$14,725.00. The proposed deed contains a reverter clause underscoring that the use of the property shall be only for the residents of Gateway West Condominium Association for the purposes of parking the aforementioned vehicles. Should Gateway cease to use this property for the purposes previously mentioned, then the title of the property shall revert to Miami-Dade County upon ten (10) days written notice and Gateway would have to deed the property back to Miami-Dade County. The County would then have the right to immediate possession with any and all improvements.

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The image below is a screenshot of the vacant lot located in Commission District 9.

Folio: 30-7825-000-0225
Sub-Division:
Property Address
Owner MIAMI DADE COUNTY WATER AND SEWER DEPT
Mailing Address 3071 SW 38 AVE MIAMI, FL 33146
PA Primary Zone 9000 AGRICULTURE
Primary Land Use 8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL
Deed / Deeds / H&M 0 / 0 / 0



**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8F3
File No. 182500**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00959 IN A TOTAL AMOUNT UP TO \$3,361,000.00 FOR THE PURCHASE OF MARINE PATROL BOATS AND WATERCRAFT VESSELS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of Prequalification Pool No. RTQ-00959, for the purchase of marine patrol boats and watercraft vessels, in the amount of \$3,361,000.00 for a term of five years, for various County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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

[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-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&file=true&yearFolder=Y2012>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, Directs the Mayor to conduct a full review of the scope, prior to the re-procurement of replacement contracts for goods or services to ensure such contracts reflect the current needs of the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation contract language.

<http://www.miamidade.gov/govaction/matter.asp?matter=150090&file=true&fileAnalysis=false&yearFolder=Y2015>

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Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Government Operations Committee and forwarded to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is requesting Board authorization to establish a prequalification pool in the amount of \$3,361,000.00 for a five-year term to purchase of marine patrol boats and watercraft vessels for various County departments. This pool provides pre-qualified vendors to compete in future spot market competitions. The marine patrol boats and watercraft vessels provide public safety and rescue efforts.

The fiscal impact is \$3,361,000.00 for a five-year term. There is no prior contract or pool. The County has historically purchased boats and other types of watercraft through one-time purchases or by accessing competitively established contracts from other governmental entities as needed.

Department	Allocation	Funding Source	Contract Manager
Fire Rescue	\$1,000,000	Fire District / Federal Funds	Marianela Betancourt
Police	2,000,000	General Fund / State Funds / Federal Funds	Laura Romano
Regulatory and Economic Resources	361,000	Proprietary Funds	John Lariosa
Total:	\$3,361,000		

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Research Notes

A Request for Qualifications was issued under full and open competition. Six vendors responded to the solicitation and all are being recommended for inclusion in the pool, as set forth in the table below:

Vendor	Principal Address	Local Address	Sunbiz	Tax collector
Brunswick Commercial and Government Products, Inc.	420 Megan Z Avenue Edgewater, FL	None	Active	None
Eric's Outboard Marine Service, Inc.	8755 SW 129 Street Miami, FL	Local	Active	None
Gravois Aluminum Boats, LLC dba Metal Shark	6814 E. Admiral Doyle Drive Jeanerette, LA	None	Not on Sunbiz	None
Inventech Marine Solutions, LLC	5626 Imperial Way SW Bremerton, WA	None	Not on Sunbiz	None
Lake Assault Boats, LLC	1 Clough Avenue Superior, WI	None	Not on Sunbiz	None
SAFE Boats International, LLC	8800 SW Barney White Road Bremerton, WA	None	Active	None

Pursuant to Resolution No. R.-477-18, the department must disclose reasons why fewer than 75 percent of vendors recommended are local. An SBE set-aside applies for spot market competition up to \$100,000 where permitted by the funding source when there are three or more SBE-certified firms available.

OCA performed a search for commodity code 12090(Trailers, Boat); on the Business Management Workforce System's Certified Vendor Directory on January 3, 2019. The search yielded no local SBEs:

ADDITIONAL INFORMATION

Information found on Brunswick Commercial and Government Products, Inc.'s website shows the vendor designs Boston Whalers for search and rescue and law enforcement applications.

<http://brunswickcgp.com/about-us/>

Information found on Eric's Outboard Marine Service, Inc.'s website shows sales Yamaha outboard motors and has a service shop with positive reviews.

<https://www.ericsoutboard.com/testimonial>

Information found on Gravois Aluminum Boats, LLC dba Metal Shark Boats website shows the vendor designs different boat models for law enforcement and fire rescue in the United States and Internationally.

<http://www.metalsharkboats.com/law-enforcement/>

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Based on information found on Lake Assault Boats, LLC's, website, this company specializes in making search and rescue and law enforcement boats.

<http://www.lakeassault.com/styles/fireboats/>



**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8F4
File No. 182512**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$90,000.00 FOR PREQUALIFICATION POOL NO. RTQ-00234 FOR BADGES, INSIGNIAS, NAME PLATES AND AWARDS FOR MULTIPLE DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority to Prequalification Pool No. RTQ-00234, for badges, insignias, name plates and awards in the amount of \$90,000.00, for multiple departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://intra/gia/matter.asp?matter=120561&file=true&yearFolder=Y2012>

Resolution No. R-373-16, adopted by the Board on May 17, 2016, authorizes the establishment of prequalification pool RTQ-00299 in a total amount up to \$10,328,000.00 for heating, ventilating and air-conditioning (HVAC) and control services for County Departments.

<http://intra/gia/matter.asp?matter=160575&file=true&yearFolder=Y2016>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Implementing Order No. 3-38 provides the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

**BCC Meeting: January 23, 2019
Research Notes**

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Government Operations Committee and forwarded to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is requesting Board authorization to increase the expenditure authority to Prequalification Pool No. RTQ-00234 for badges, insignias, name plates and awards in the amount up to \$90,000.00 for multiple County departments. The County established the current pool in March 2016 for a four year term. The function of this pool is for departments to acquire award pins for employee recognition programs, identification name plates, as well as badges for police, correctional officers and fire rescue personnel.

The Division of Policy and Legislation's review on January 17, 2019, of the Bid Tracking System (BTS) shows that the pool currently has 14 vendors, of which 7 are local (50%), which is below the 75% threshold required by Resolution No. R-477-18. Ten of the fourteen vendors have an active standing on Sunbiz (the official website of the FL Division of Corporations).

The pool term expires on March 31, 2020 and has a current cumulative allocation of \$1,000,000.00. If this request is approved, the pool will have a modified cumulative allocation of \$1,090,000.00. The requested increase in expenditure is based upon anticipated expenditures. Per information seen in BTS on January 3, 2019, a total of \$999,993.00 was allocated to the pool's Blanket Purchase Order; of that sum, \$734,152.79 has been released, leaving a balance of \$265,840.21.

The justification per the user department for the requested additional expenditure is as follows:

1) Miami Dade Aviation Department (MDAD) had an original allocation of \$10,000.00, of which \$7,917.07 has been released leaving a balance of \$2,082.93. The department requests \$5,000.00 to purchase employee identification badges and name plates to replace damaged or expired badges, as well as for issuance of badges and name plates to new employees during the remaining term of the pool.

2) Corrections and Rehabilitation had an original allocation of \$58,000.00, of which \$46,430.08 has been released leaving a balance of \$12,369.84. The department requests \$15,000.00 to purchase insignia and badges for approximately 120 new employees they are hiring.

3) Miami-Dade Fire Rescue had an allocation of \$109,000, of which \$95,516.85 has been released leaving a balance of \$13,483.15. The department requests \$70,000.00, based on the department's forecast of the need of 417 badges, for various Divisions, including Ocean Rescue, Fire Prevention, Junior Cadets and the International Association of Firefighters.

On January 3, 2019 Policy and Legislation performed a search for commodity code 08078 (Trophies, Plaques, Awards, Etc.), 080 (Badges, Awards, Emblems, Name Tags and Plates, Jewelry, etc.), 0800 (Badges, Awards, Emblems, Name Tags and Plates, Jewelry), 08010 (Badges, Buttons, Emblems, and ID Cards, Celluloid and Plastic; Student, Faculty, Membership, Employee), 08015 (Badges and Emblems, Metal: cap, Game Wardens'), 08050 (Nameplates, Metal, Adhesive Back), 08053 (Nameplates, Metal, Non-adhesive), 08055 (Nameplates, Plastic), 08056 (Nameplates, Specialty Including Clocks, Logos, Pen/Pencil Sets,) 08065 (Service Awards, Specialty Type), and 08078 (Trophies, Plaques, Awards, Certificates) on the Business Management Workforce System's Certified Vendor Directory and found 24 local SBE G&S firms listed below.

BCC Meeting: January 23, 2019
Research Notes

Vendor	Location	SBE Type
Awards, LLC. dba Trophy World	Miami, FL	SBE-G&S
Blue Digital Corp	Miami, FL	SBE-G&S
Carily of Miami Uniforms Inc.	Miami, FL	SBE-G&S
CMS International Group, Corp.	Miami Gardens, FL	SBE-G&S
Flagrant International Solutions, Inc.	Miami Gardens, FL	SBE-G&S
Gail's Party Line, Inc.	North Miami Beach, FL	SBE-G&S
Gateways Unlimited, Inc.	Miami, FL	SBE-G&S
Holsen, Inc.	Miami, FL	SBE-G&S
I P A Corp.	Cutler Bay, FL	SBE-G&S
Innovative Incentives, Inc.	Miami, FL	SBE-G&S
Jasma Graphics Inc.	Miami, FL	SBE-G&S
Lithografikos LLC, dba Minuteman Press	Miami, FL	SBE-G&S
Miami Partners, LLC., dba Cowen & Associates, Inc.	Miami Shores, FL	SBE-G&S
Nationwide Printing & More, LLC.	Miami, FL	SBE-G&S
Palmetto Uniforms Inc.	Miami, FL	SBE-G&S
Paragon Uniform Group, Inc	Miami Beach, FL	SBE-G&S
Plan B Concepts, Inc.	South Miami, FL	SBE-G&S
Ire, Inc., dba Lee Ryder Lamination	Miami, FL	SBE-G&S
Proud T-shirts Company, LLC.	Miami, FL	SBE-G&S
Schedule 10 Specialists, Inc.	North Miami, FL	SBE-G&S
Superior Office Services, LLC.	Opa-Locka, FL	SBE-G&S
The tools Man, Inc., dba The Tools Man Industry Supply	Miami, FL	SBE-G&S
Total Connection Inc.	Miami, FL	SBE-G&S
Vision Concepts Ink, Inc.	Doral, FL	SBE-G&S

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8F5
File No. 182517**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00980 FOR PURCHASE OF PORTABLE CHEMICAL TOILETS FOR MULTIPLE DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$2,670,000.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve a contract award to AES Portable Sanitation, Inc., for *Contract No. FB-00980, Portable Chemical Toilets*, for a five-year term for an amount of up to \$2,670,000 for multiple County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

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

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, directs the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ in memoranda to the Board pertaining to vendors being recommended for contract award.

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

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to the re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County and to include such information in recommendations to the Board.

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

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-841-17, adopted by the Board on October 3, 2017, authorized additional expenditure totaling \$651,000 to *Contract No. EPP6118-0/18, Rental of Portable Chemical Toilets*, for multiple County departments.

<http://intra/gia/matter.asp?matter=171581&file=true&yearFolder=Y2017>

Resolution No. R-841-06, adopted by the Board on July 6, 2006, changed the deadline to seek approval for award of successor contracts or extensions of existing contracts from 60 to 30 days prior to expiration.

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

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

This item was considered at the December 11, 2018 meeting of the Government Operations Committee and forwarded to the Board with a favorable recommendation.

ANALYSIS

This item is requesting approval to award *Contract No. FB-00980, Portable Chemical Toilets*, to AES Portable Sanitation, Inc., for a five-year term in an amount of up to \$2,670,000 for multiple County departments. The recommended awardee is a local vendor, holding an active status as a Florida for-profit corporation on sunbiz.org, the website of the State of Florida Division of Corporations. Note, however, that data found on the County's Tax Collector website shows that the awardee's address provided in the mayoral memorandum (11050 NW 36 Avenue, Miami) is for a closed business as of July 5, 2017. Other data shows that the business owes over \$3,000 in tangible personal property taxes.

The purpose of the solicitation is to establish a contract for the rental of portable chemical toilets, sinks, sanitation trailers, maintenance and pump-out services for the County. The solicitation has two groups: (1) Non-Federal Funding and (2) Federal Funding. For both groups, the method of award was to the lowest-priced, responsive and responsible bidder in the aggregate who met the solicitation's qualification criteria (e.g., submittal of current Certificate of Competency issued by the County).

Market research conducted by the Administration concludes that "there is an active and competitive market that would respond to a solicitation." The solicitation was advertised on August 13, 2018, and two vendors responded to it.

The current contract (*EPP6118-0/18*) is valued at \$1,770,099.98 for a five-year term, expiring on February 28, 2019. Note that the expiration date reflects two, one-month administrative extensions from the contract's original expiration date of December 31, 2018. The replacement contract is valued at \$2,670,000 for five years; this increase is attributable to additional services being added. Prices proffered shall remain fixed and firm for no less than 24 months from the contract's effective date. The recommended awardee, AES Portable Sanitation, Inc., is an incumbent.

The commodity codes for this procurement are 15570 (Portable Toilets), 93484 (Toilets, Portable, Maintenance and Repair), and 97773 (Toilets and Showers, Portable, Rental or Lease). A search for local certified small business firms under those codes yielded only one result – A 2nd Chance Party Rental, Inc. (97773).

BCC Meeting: January 23, 2019
Research Notes

ADDITIONAL INFORMATION

According to its Bloomberg company profile, AES Portable Sanitation, Inc. supplies hook portable toilets, holding tanks, high-rise, event and handicapped accessible units. The company also offers roll-off containers and air-conditioned restroom trailers.
<https://www.bloomberg.com/profiles/companies/1013709D:US-aes-portable-sanitation-inc>

A federal lawsuit was filed against AES Portable Sanitation, Inc. alleging violations of the Fair Labor Standards Act, i.e., failure to pay an employee overtime wages. (Valdez v. AES Portable Sanitation, No. 1:06-CV-21558).



2018 Annual Tax Bills are scheduled to be mailed on October 31, 2018 and will be payable on November 1, 2018.

2018 3rd Quarter Tax Bills will be payable on December 1, 2018.

If paying delinquent real estate taxes (2017 and prior) by mail, acceptable forms of payment are: Cashier's Check, Certified Funds or Money Order.

If paying delinquent real estate taxes (2017 and prior) in person, acceptable forms of payment are: Cashier's Check, Certified Funds, Money Order, or Cash.

The information contained herein does not constitute a title search or property ownership. Amount due May be subject to change without notice.

If you have a deed certified on your account, click the following link for sale information <https://miamidade.realtm.com/public/cases/list>

2018 Details — Business Tax Account AES PORTABLE SANITATION INC



Business Tax Account #7226371

Account details

Account history

2018

2017

2016

\$0.00 due

\$0.00 due

\$0.00 due

Account number: 7226371

Account status: CLOSED

Business start date: 10/01/2015

Business close date: 07/05/2017

Physical business location: NORTH MIAMI

Business address:
AES PORTABLE SANITATION INC
11050 NW 36 AVE
NORTH MIAMI, FL 33167

Mailing address: AES PORTABLE SANITATION INC
C/O RENE L GUERRA, PRES
11050 NW 36 AVE
NORTH MIAMI, FL 33167

Owner(s) AES PORTABLE SANITATION INC
C/O RENE L GUERRA, PRES
11050 NW 36 AVE
NORTH MIAMI, FL 33167

Receipts And Occupations

Receipt 7511202 Non-renewable

Service business/multiple service business or Passenger transportation services
SERVICE BUSINESS
PORTABLE TOILET RENTALS

10/01/2017
-09/30/2018

NAICS code:
532299
Units: 5

Print this bill

Canceled

[Return to Search](#)

BCC Meeting: January 23, 2019
Research Notes

Item No. 8F6
File No. 182737

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ACCESS OF STATE OF OKLAHOMA CONTRACT NO. OK-SW-300 THROUGH OCTOBER 4, 2019 FOR PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATOR UNITS AND ACCESSORIES FOR THE MIAMI-DADE POLICE DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$3,468,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE DOCUMENTS NECESSARY TO ACCESS SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize access of the State of Oklahoma Contract No. OK-SW-300 through October 4, 2019 in a total amount not to exceed \$3,468,000.00 for the purchase of automatic external defibrillator units and accessories for the Miami-Dade Police Department (MDPD).

APPLICABLE LEGISLATION/POLICY

Section 2-8.1of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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

Section 2-8.2.6(3)(a)(v) of the County Code (unsolicited proposals) governs the procedure on unsolicited proposals, if the County Mayor elects to evaluate an unsolicited proposal that has been submitted with the application fee and all of the information and materials required pursuant to this section, the County Mayor shall have 90 days to evaluate the unsolicited proposal. In the event that 90 days is insufficient to complete an evaluation, the County Mayor may request an extension of this time from the Board.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.6PUIVPAUNPR

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, Directs the Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ, and directs the Mayor to include such information in the memorandum to Board pertaining to vendor being recommended for contract award.

<http://www.miamidade.gov/govaction/matter.asp?matter=152271&file=true&yearFolder=Y2015>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

BCC Meeting: January 23, 2019
Research Notes

Implementing Order No. 3-38, sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Public Safety and Health Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

This item is requesting Board authorization to access the State of Oklahoma Contract No. OK-SW-300 through October 4, 2019 in a total amount not to exceed \$3,468,000.00 for the purchase of automatic external defibrillator units and accessories for the Miami-Dade Police Department (MDPD). The MDPD department is looking to replace 2,000 defibrillators with Physio-Control Lifepak 1000 automatic external defibrillators (AED). The intent is for every patrol vehicle to be equipped with new defibrillators allowing police officers to provide lifesaving assistance when MDPD is the first respondent to an individual suffering cardiac arrest.

The fiscal impact is the purchase amount of \$3,468,000. The contract's term is currently on its first option to renew which became effective October 5, 2018 and the contract has three (3) additional options to renew should the state of Oklahoma elect to exercise them. By having Zoll Medical agree to buy back the units directly from the County, the credit can be applied directly to the purchase of the new defibrillators and will save the County \$800,000.00.

The current contract for defibrillators is BW9262-1/20-1, with a current value of \$6,054,623.00 and is scheduled to expire on May 23, 2020. The allocation for the current contract is \$6,054,623.00, the released amount is \$4,607,448.12 and the remaining balance is \$1,447,174.88 according to the Bid Tracking System as of January 10, 2019.

According to the mayoral memo the reason we are attaching to the Oklahoma contract is because Oklahoma leads the National Association of State Procurement Officials (NASPO), in soliciting for the purchase of defibrillators. The benefits to the County are:

- Five-year product warranty;
- Service loaners;
- 55% discount on the professional compliance management program for ongoing service and support;
- 30 free defibrillator simulators and demo pads for training purposes;
- Trade in credit of \$400 dollars per used operable defibrillator unit, which may result in additional savings of up to \$800,000.00; and
- A financing option that allows the County to pay on an annual bases over a span of five years without financing or interest charges while receiving the upfront delivery of the units.

The state of Oklahoma complied with Miami-Dade County Resolution 477-18, as five proposals were received and the highest ranked proposer was recommended for award. The vendor that was awarded the contract is Zoll Medical Corporation. This vendor has an active status on sunbiz, the State of Florida's Division of Corporations' website and is classified a foreign corporation. The vendor does not have an account with the Tax Collectors office.

BCC Meeting: January 23, 2019
Research Notes

The County opted to proceed with the Oklahoma contract because of the benefits attained from Zoll Medical. Currently Miami-Dade Fire Rescue (MDFR) uses Physio-Control branded defibrillators in their daily operations, Zoll Medical agreed to provide 1 adapter at no cost for each Zoll Deibillator purchased by the County, plus one adapter for each Physio-Control branded defibrillator owned by MDFR. Additionally, Zoll Medical has agreed to provide an extra 150 adapters as replacements for free. These adapters allow MDFR to connect their defibrillators directly to Zoll pads already being utilized if MDPD is first to respond on the scene. The County would be receiving over 2,300 adapters for free by way of this agreement. Moreover, Zoll Medical also has a third party distributor who buys back older defibrillators for credit in order to refurbish them for resale. Negotiations with Zoll Medical allowed the County to bypass the third party distributor and trade their old Physio-Control units to Zoll Medical.

Below is a picture of the type of AED that is being purchased.



ADDITIONAL INFORMATION:

The Division of Policy and Legislation conducted research and found that other jurisdictions also contracted Zoll Medical Corporation to provide External Defibrillators statewide. Hawaii is an example.

https://spo.hawaii.gov/wp-content/uploads/2017/03/VL-13-12-Change-No.-8_Executed-4.pdf

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8F7
File No. 182759**

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00892 IN A TOTAL AMOUNT UP TO \$6,500,000.00 FOR THE PURCHASE OF PARK ITEMS FOR RESALE FOR PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR AN EIGHT-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of Prequalification Pool *RTQ-00892* for the purchase of park items for resale for the Parks, Recreation and Open Spaces Department in a total amount of up to \$6,500,000 for an eight-year term.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for all contracts and purchases when the transaction involves the expenditure of \$250,000 or more, except that 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.

[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-477-18, adopted by the Board on May 1, 2018, directed the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-187-12, adopted by the Board on February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.

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

Implementing Order 3-38 sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

BCC Meeting: January 23, 2019
Research Notes

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item has no procedural history.

ANALYSIS

This item is requesting that the Board approve the establishment of Prequalification Pool *RTQ-00892* for the purchase of park items for resale for the Parks, Recreation and Open Spaces Department (PROS) for an eight-year term in the amount of up to \$6,500,000. The pool consolidates two current pools that are used to obtain similar items for resale – Prequalification Pool *IB7529-4/14* and Prequalification Pool *4904-1/20*. The mayoral memorandum suggests that consolidating the pools promotes administrative efficiencies and reduces duplication of vendor efforts as only one pool will be accessed to fulfill departmental needs for resale items.

PROS operates golf courses, tennis centers, marina stores and restaurants. As such, the department requires a variety of resale items for its diverse business operations and will use this pool to purchase those items. Standard items to be purchased include books, prepackaged snacks and beverages, lotions, creams, apparel, garden, fishing, tennis and golf supplies. As needed, PROS will conduct spot market competitions in the form of an ITQ or WOPR to acquire the specific good. Prequalified vendors shall submit a list of their items that are available to be purchased under the pool.

The requisition for this solicitation was posted on April 9, 2018, and the solicitation opening date was April 25, 2018. Eight vendors responded to the solicitation, of which six are being recommended for inclusion in the pool. Five of the six are local businesses, of which three are certified Small Business Enterprise (SBE) firms. Note that the pool includes a SBE set-aside for purchases up to \$100,000 where there are three or more certified firms available.

The fiscal impact for the eight-year term is \$6,500,000. The allocation is based on estimated usage over the pool's term. The current pools: Prequalification Pool *4904-1/20* (Resale Items for County PRO Shops) is valued at \$7,000,000 for a term of 10 years, expiring on September 30, 2020; the pool has over 20 vendors. Prequalification Pool *IB7529-4/14* (Fruit & Spice Park Resale Items) is valued at \$505,000 for a term of 10 years, expiring on June 30, 2019; the pool has over 20 vendors. The vendors being recommended for this replacement pool who are incumbents under the current pools are: Royal T Screen Printing Corp., Players Connection of Florida, LLC, and Best of Golf America, LLC. It is unclear from a review of the agenda item whether the current pools will be cancelled upon the approval of this RTQ.

The commodity codes for this procurement found on the SBD Project Worksheet are: 20010 (Athletic Clothing); 20944 (Educational: eLearning, Foreign Languages, Math, Science, Social Studies, etc. Mainframes and Servers); 39015 (Dips, Food); 39359 (Jams, Jellies and Preserves); and 80578 (Tennis Equipment). A search on the Business Management Workforce System under the codes on January 17, 2019 yielded the following certified small business vendors:

- Gateways Unlimited, Inc.
- Pancar Industrial Supply Corporation
- Sirely Uniforms, Inc.
- The Players Connection of Florida, LLC

Note that Players Connection of Florida is being recommended for inclusion in this pool.

BCC Meeting: January 23, 2019
Research Notes

ADDITIONAL INFORMATION

Best of Golf America, LLC, one of the prequalified vendors, was sued in federal court for intellectual property violations, i.e., patent infringement, and enjoined from exploiting Plaintiff's patents. The Plaintiff recovered \$8,000 from Best of Golf America. (See *Sandgroup International, LTD v. Best of Golf America, LLC*, Case No. 0:16-CV-62042.)

Bettoli Trading Corp. is being sued in the Eleventh Judicial Circuit of Miami-Dade County on a vicarious liability claim for bodily harm to the Defendant due to the negligent operation of a motor vehicle by its employee within the scope of his employment. (See *Rodney Lubin v. Bettoli Trading Corp.*, Case No. 2018-004894-CA-01.)

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8F8
File No. 182778**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01000 IN A TOTAL AMOUNT UP TO \$1,698,000.00 FOR THE PURCHASE OF BOAT AND VESSEL PARTS, REPAIRS AND SERVICE FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of Prequalification Pool No. RTQ-00809, for the purchase of boat and vessel parts in a total amount up to \$1,698,000.00 for a five-year term for various County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

<https://library.municode.com/fl/miami> -

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

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-36-14, adopted by the Board on January 22, 2014, authorizes additional time of five years and expenditure authority in a total amount up to \$69,552,000.00 for various services and various County departments.

<http://www.miamidade.gov/govaction/matter.asp?matter=132381&file=true&fileAnalysis=false&yearFolder=Y2013>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-718-17, adopted by the Board on July 6, 2017, Directs the Mayor to commence planning for re-procurement no later than 18 months PRIOR to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development Division regarding solicitation and contract language.

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

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines the roles and responsibilities of the Internal Services Department, the methods of purchasing goods and services, the authority to award and modify contracts and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Government Operations Committee on December 11, 2018 and forwarded to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is requesting Board authorization to establish a prequalification pool No. RTQ-01000, for the purchase of boat vessel parts in a total amount up to \$1,698,000.00 for a five-year term for various County.

The purpose of this pool is to allow the County to maintain the fleet of boats and vessels, including those utilized for law enforcement, fire and rescue operations, as well as other County operations by establishing a pool of pre-qualified vendors that can provide diagnostic and repair services, including hull and engine maintenance or repairs; and replacement parts as needed.

The fiscal impact for the five-year term is \$1,698,000.00. The current contract, FB-00587, is valued at \$498,000.00 for a fifteen (15) month term and is scheduled to expire on February 28, 2019. The annual allocation under the current pool is \$398,400 while the annual allocation is \$339,600.00 under the proposed pool. The difference in the annual allocation between the current pool and the proposed pool is an amount of \$58,800.00 less in the proposed pool.

Five vendors responded and are all being recommended for inclusion in the pool (Eric's Outboard Marine Service, Inc., FastBoats.com.Sales Company, LLC, Johnstons Marine Services, LLC., Sea Power, Inc. (Local), and Wiborg Marine, Inc.(Local), of which three of the firms (Sea Power, Inc., Eric's Outboard Marine Service, Inc., and Wiborg Marine, Inc) are local per Sunbiz the Official website for the State of Florida's Division of Corporation and one other firm (FastBoats.com.Sales Company, LLC) has a local address in the Tax Collector's website. All of the recommended firms have an active status in Sunbiz. Of the five recommended vendors, the following two are incumbents as they are included in the current contract under FB-00587: FastBoats.com.Sales Company, LLC., and Wiborg Marine, Inc. Fastboats.com Sales Company, LLC. has an active license (EBK1788) for "Yacht and Ship salesperson or broker" with the Department of Business & Professional Regulation.

OCA performed a search for commodity code 12040 (Fuel Tanks, Boat), on the Business Management Workforce System's Certified Vendor Directory on January 16, 2019. No results were attained under this commodity code.

ADDITIONAL INFORMATION

American Business Forms Inc.'s has an A+ rating with the Better Business Bureau.

<https://www.bbb.org/us/mn/glenwood/profile/business-form-printer/american-solutions-for-business-0704-96051562>

BCC Meeting: January 23, 2019
Research Notes

Johnstons Marine Services, LLC has an A+ rating with the Better Business Bureau.

<https://www.bbb.org/us/ct/old-saybrook/profile/marine-sales-and-service/johnston-marine-llc-0111-87088181>

Sea Power, Inc. has an A+ rating with the Better Business Bureau.

<https://www.bbb.org/us/fl/miami/profile/boat-repair/sea-power-inc-0633-90081452/complaints>

Wiborg Marine, Inc., does not have a rating with the Better Business Bureau.

<https://www.bbb.org/us/fl/miami/profile/marine-sales-and-service/wiborg-marine-inc-0633-23005519>

Eric's Outboard Marine Service has an A+ rating with the Better Business Bureau.

<https://www.bbb.org/us/fl/miami/profile/outboard-motors/erics-outboard-marine-service-0633-90142970>

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8F9
File No. 182784**

Researcher: MF Reviewer: TD

RESOLUTION WAIVING COMPETITIVE BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS; AUTHORIZING INCLUSION OF AN ADDITIONAL FACILITY, ADDITIONAL EXPENDITURE AUTHORITY AND INCREASE IN CONTRACT VALUE IN AN AMOUNT NOT TO EXCEED \$730,000.00, AND EXERCISE OF THE REMAINING TWO, TWO-YEAR OPTION TO RENEW PERIODS FOR CONTRACT NO. L9837-3/2, DELTA CONTROLS BUILDING MANAGEMENT SYSTEMS MAINTENANCE SERVICES; 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 waive the competitive bid procedures by a two-thirds vote of the Board members present and authorize: (1) the inclusion of a new facility for the Miami-Dade Library System; (2) additional expenditure authority and increase in contract value in an amount not to exceed \$730,000; and (3) the exercise of the remaining two-two-year option to renew terms under Legacy Contract No. L9837-3/2, *Delta Controls Building Management Systems (BMS) Maintenance Services*.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

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

Resolution No. R-98-12, adopted by the Board on January 26, 2012, directs the County Mayor or his designee to negotiate better prices on all awarded contracts for the purchase of goods and services and prior to the exercise of any options-to-renew and delegates authority to the County Mayor or designee to amend contracts to provide better prices for the County.

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

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-947-13, adopted by the Board on November 19, 2013, establishes prequalification pool Contract 6879-0/18 for the purchase of lawn equipment, original equipment manufacturer replacement parts and repair services in a total amount up to \$6,422,000.

<http://www.miamidade.gov/govaction/matter.asp?matter=132155&file=true&fileAnalysis=false&yearFolder=Y2013>

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and to include such information in award recommendations to the Board.

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

Resolution No. R-1005-17, adopted by the Board on November 7, 2017, authorizes Legacy Contract No. L9837-3/23, Delta Controls BMS Maintenance Services, for the Internal Services Department, and authorizes the County Mayor or his designee to exercise a one-year option to renew term for this legacy contract for the Internal Services Department in a total amount not to exceed \$88,000.00.

<http://intra/gia/matter.asp?matter=172466&file=true&yearFolder=Y2017>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The proposed resolution has no procedural history.

ANALYSIS

The proposed resolution requests the Board to waive the competitive bid procedures by a two-thirds vote of the Board members present and authorize: (1) the inclusion of a new facility for the Miami-Dade Library System; (2) additional expenditure authority and increase in contract value in an amount not to exceed \$730,000; and (3) the exercise of the remaining two, two-year option to renew terms under Legacy Contract No. L9837-3/2, *Delta Controls Building Management Systems (BMS) Maintenance Services*.

The contract is currently utilized to maintain the Delta Controls Building Management System at the West Lot Building and Hialeah Courthouse. The proposed resolution expands the scope of the contract to include 17 locations of the Miami-Dade Public Library System with a \$378,000 allocation to the Library System. The equipment covered under this contract controls a variety of tasks, which include the "on" and "off" controlling of the air handling units and lighting controls to the more complex controls of the chilled water system and smoke evacuation systems used for life safety during a fire alarm. Additional services provided include trouble shooting support, updates to the system, reporting services and database protection.

The contract was initially awarded to South Florida Controls, Inc. in August 2015 for two years with three, two-year option to renew terms under the Mayor's delegated authority. An item requesting authority to exercise all of the contract's option to renew terms was presented to the October 10, 2017 Government Operations Committee meeting, but the committee members only approved the first renewal option for only one year. As a result, the Board approved Resolution No. R-1005-17 for only the first option to renew, for a single one-year period.

BCC Meeting: January 23, 2019
Research Notes

Pursuant to the Board's direction, the Internal Services Department conducted market research to determine whether there were other vendors that could maintain the Delta Control BMS. This research included negotiation with the current vendor, South Florida Controls (SFC), and investigation into the structure of Delta Controls distributors. Research confirmed that Delta Control's network of partners are segmented by location and selected based upon performance and service criteria. As such, the current vendor is the only authorized provider in South Florida for Delta Controls. It is recommended by Delta Controls that only factory authorized partners perform maintenance to maintain the integrity and functionality of the BMS.

Additional research was conducted with other agencies. The City of Miami Beach used SFC for installation of a similar BMS system called Johnson Controls Facility Explorer. Also, the Reporting Utility was used to search vendors under commodity code 90608 and several vendors were found, but none of them are authorized providers for Delta controls.

Further, a Request for Information (RFI) was conducted on October 13, 2017 to determine availability of competition within the marketplace. The RFI yielded no responses; therefore it appears that SFC, as the sole-authorized representative for Delta Controls, is the only company capable of performing the required services at this time.

Lastly, research included negotiation with the current vendor. SFC is committed to providing the County very competitive pricing and has committed to increases for the full eight-year period, but cannot provide discount on this OTR period. An alternative to this legacy contract would be to replace the BMS with an estimated cost between \$650,000 and \$1,000,000. However, the existing system operates effectively and to replace it would be expensive.

According to the Fiscal Impact Statement, the contract is in its first option to renew term, which expires on February 28, 2019 and has a cumulative allocation of \$293,000. If all remaining option to renew terms are exercised, the contract will have a modified cumulative allocation of \$1,023,000 and will expire on February 28, 2023.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), South Florida Controls, Inc., has an active status as a Florida Profit Corporation and first filed and registered on 6/22/2009. The principal address is registered as 13393 SW 131st Street, Miami, FL 33186. Its registered agent is Hector Hernandez, 13393 SW 131st Street, Miami, FL 33186. <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

BCC Meeting: January 23, 2019
Research Notes

Item No. 8F10
File No. 182898

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00915 IN A TOTAL AMOUNT UP TO \$6,445,000.00 FOR THE PURCHASE OF PORTABLE GENERATORS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS [SEE ORIGINAL ITEM UNDER LEGISTAR FILE NO. 182754]

ISSUE/REQUESTED ACTION

Whether the Board should authorize establishment of prequalification pool RTQ-00915 for the purchase of portable generators for multiple County departments in a total amount of up to \$6,445,000 for a five-year term.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[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-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to the re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County and to include such information in recommendations to the Board.

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

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

BCC Meeting: January 23, 2019
Research Notes

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

The original item (File No. 182754) was placed on the December 11, 2018 Government Operations Committee and subsequently withdrawn. This substitute item differs from the original version in that it reduces the eight-year term to a five-year term. The fiscal impact for the five-year term is \$6,445,000, not \$9,746,000 as requested in the original item. The substitute item has been forwarded to the Board with a favorable recommendation.

ANALYSIS

This item is requesting Board authorization to establish a prequalification pool, RTQ-00915, *Portable Generators*, for multiple County departments for a five-year term in an amount of up to \$6,445,000. The purpose of the Request to Qualify (RTQ) is to establish a list of prequalified vendors that will be accessed to solicit the purchase of generators as well as associated repair and maintenance services as needed.

The RTQ has two groups: (1) Purchase of Portable Generators and Parts and (2) Repair and Maintenance Services. To qualify for Group 1, the vendor shall submit written evidence of being a manufacturer, authorized distributor or reseller of the brands set forth in the solicitation. The generator types to be purchased include diesel-, electric-, propane- or gasoline-powered. Approved manufacturers include: ASCO, Baylor, Cummins, Honda, Kohler, Onan and Westinghouse. A set-aside of up to \$100,000 applies to this pool where there are three or more certified firms available.

The RTQ was advertised on May 2, 2018. A total of 10 vendors responded to the solicitation, of which six are being recommended for inclusion in the pool. Five of the recommended vendors have local addresses and two are certified SBEs. Of the recommended vendors, the following are incumbents: 360 Energy Solutions LLC, Condo Electric Motor Repair Corp, and WW Grainger Inc. Two of the recommended vendors – Condo Electric Industrial Supply, Inc. and Condo Electric Motor Repair Corp. – share the same officers and directors.

The current pool – 4227-5/18 – is valued at \$21,265,117.33 for a term of 10 years and two months, expiring February 28, 2019. Per the Market Research, the current pool has 18 prequalified vendors, of which 16 have their principal offices in Miami-Dade County.

The commodity code for this solicitation is 28537 (Generators, Portable, Engine Driven, Including Fog and Mist Types). A search for local small certified SBEs on the Business Management Workforce System on January 8, 2019 yielded the following vendors:

- A & B Hardware, Inc.
- Electropower Utility Sales Company
- Generating Systems, Inc.
- Joe Blair Garden Supply, Inc.
- Mastercraft Tools Florida, Inc.
- Ready Components, Inc.
- Technical Trading Corp.

ADDITIONAL INFORMATION

A federal lawsuit was filed against W.W. Grainger, Inc., one of the prequalified vendors, alleging violations of the Telephone Consumer Protection Act (See *Davies v. W.W. Grainger, Inc.*, No. 13-CV-3546, 2016 WL 1298667).

Florida Department of State

DIVISION OF CORPORATIONS

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**

Florida Profit Corporation
CONDO ELECTRIC INDUSTRIAL SUPPLY, INC.

Filing Information

Document Number G85631
FEI/EIN Number 59-2377544
Date Filed 02/21/1984
State FL
Status ACTIVE

Principal Address

3746 E 10TH CT
HIALEAH, FL 33013

Changed: 01/30/1998

Mailing Address

P O BOX 3340
HIALEAH, FL 33013

Changed: 01/30/1998

Registered Agent Name & Address

GOMEZ, HECTOR A.
3615 E. 10 COURT
HIALEAH, FL 33013

Officer/Director Detail**Name & Address**

Title PD

ESPINOLA, JOSE G.
5085 STILLWATER TERRACE
COOPER CITY, FL 33330

Title STD

GOMEZ, HECTOR A.
4775 COLLINS AVE APT#1408
MIAMI BEACH, FL 33140

Annual Reports

Report Year	Filed Date
2016	01/22/2016
2017	01/10/2017
2018	01/10/2018

Document Images

01/10/2018 -- ANNUAL REPORT	View image in PDF format
01/10/2017 -- ANNUAL REPORT	View image in PDF format
01/22/2016 -- ANNUAL REPORT	View image in PDF format
01/15/2015 -- ANNUAL REPORT	View image in PDF format
01/08/2014 -- ANNUAL REPORT	View image in PDF format
01/15/2013 -- ANNUAL REPORT	View image in PDF format
01/04/2012 -- ANNUAL REPORT	View image in PDF format
02/16/2011 -- ANNUAL REPORT	View image in PDF format
01/12/2010 -- ANNUAL REPORT	View image in PDF format
06/23/2009 -- ANNUAL REPORT	View image in PDF format
03/19/2008 -- ANNUAL REPORT	View image in PDF format
04/02/2007 -- ANNUAL REPORT	View image in PDF format
04/03/2006 -- ANNUAL REPORT	View image in PDF format
04/26/2005 -- ANNUAL REPORT	View image in PDF format
04/01/2004 -- ANNUAL REPORT	View image in PDF format
03/31/2003 -- ANNUAL REPORT	View image in PDF format
03/31/2002 -- ANNUAL REPORT	View image in PDF format
02/19/2001 -- ANNUAL REPORT	View image in PDF format
03/02/2000 -- ANNUAL REPORT	View image in PDF format
07/14/1999 -- ANNUAL REPORT	View image in PDF format
01/30/1998 -- ANNUAL REPORT	View image in PDF format
05/02/1997 -- ANNUAL REPORT	View image in PDF format
06/06/1996 -- ANNUAL REPORT	View image in PDF format
04/11/1995 -- ANNUAL REPORT	View image in PDF format

Florida Department of State, Division of Corporations



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Profit Corporation
CONDO ELECTRIC MOTOR REPAIR CORP.

Filing Information

Document Number H49843
FEI/EIN Number 59-2500665
Date Filed 04/01/1985
State FL
Status ACTIVE

Principal Address

3615 E 10TH CT
HIALEAH, FL 33013

Changed: 01/30/1998

Mailing Address

P O BOX 3340
HIALEAH, FL 33013

Changed: 06/22/2009

Registered Agent Name & Address

GOMEZ, HECTOR
3615 E. 10TH COURT
HIALEAH, FL 33013

Officer/Director Detail

Name & Address

Title PD

GOMEZ, HECTOR
4775 COLLINS AVENUE #1408
MIAMI BEACH, FL 33140

Title VSD

GOMEZ, HECTOR J.
11131 NW 60TH CT
HIALEAH, FL 33012

Title VD

ESPINOLA, JOSE G
 5085 STILLWATER TERRACE
 COOPER CITY, FL 33330

Annual Reports

Report Year	Filed Date
2016	01/22/2016
2017	01/09/2017
2018	01/08/2018

Document Images

01/08/2018 -- ANNUAL REPORT	View image in PDF format
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01/22/2016 -- ANNUAL REPORT	View image in PDF format
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01/16/2013 -- ANNUAL REPORT	View image in PDF format
01/04/2012 -- ANNUAL REPORT	View image in PDF format
02/16/2011 -- ANNUAL REPORT	View image in PDF format
01/12/2010 -- ANNUAL REPORT	View image in PDF format
06/22/2009 -- ANNUAL REPORT	View image in PDF format
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01/30/1998 -- ANNUAL REPORT	View image in PDF format
05/02/1997 -- ANNUAL REPORT	View image in PDF format
05/09/1996 -- ANNUAL REPORT	View image in PDF format
04/11/1995 -- ANNUAL REPORT	View image in PDF format

BCC Meeting: January 23, 2019
Research Notes

Item No. 8F11
File No. 182903

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00947 IN A TOTAL AMOUNT UP TO \$6,930,000.00 FOR THE PURCHASE OF LAWN EQUIPMENT PURCHASE, RENTAL, LEASE, PARTS AND REPAIR SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of Prequalification Pool No. RTQ-00947, for the purchase of lawn equipment, rental/lease parts, and repair services in a total amount up to \$6,930,000.00 for a five-year term for various County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

<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-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-36-14, adopted by the Board on January 22, 2014, authorizes additional time of five years and expenditure authority in a total amount up to \$69,552,000.00 for various services and various County departments.

<http://www.miamidade.gov/govaction/matter.asp?matter=132381&file=true&fileAnalysis=false&yearFolder=Y2013>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-718-17, adopted by the Board on July 6, 2017, Directs the Mayor to commence planning for re-procurement no later than 18 months PRIOR to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development Division regarding solicitation and contract language.

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

Resolution No. R-947-13, adopted by the Board on November 19, 2013, established a pre-qualification pool contract 6879-0/18 for the purchase of law equipment, original equipment manufacturer replacement parts and repair services in a total amount up to \$6,422,000 for the purchase of Goods and Services.

<http://www.miamidade.gov/govaction/matter.asp?matter=132155&file=true&fileAnalysis=false&yearFolder=Y2013>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines the roles and responsibilities of the Internal Services Department, the methods of purchasing goods and services, the authority to award and modify contracts and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Government Operations Committee on December 11, 2018 and forwarded to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is requesting Board authorization to establish a Prequalification Pool No. RTQ-00947, for the purchase of lawn equipment, rental/lease parts, and repair services in a total amount up to \$6,930,000.00 for a five-year term for various County departments.

The purpose of this pool is to make available to the County three Groups of Prequalified Vendors to purchase, rent, and lease lawn equipment, and to purchase replacement parts, accessories, and repair services for Miami-Dade County.

Group 1: Purchase of Lawn Equipment, Replacement Parts, Consumables, Accessories, and trailers.

- Sub-Group A, Purchase of Lawn Equipment: The purchases under this sub-group include, but are not limited to, hand held, riding, and tractor mowers; mower attachments (e.g.: bagger, utility cart, deck, dump card, dethatched, spreader, aerator, roller, etc.); edgers, trimmers, chain saws, weed eaters, blowers, leaf sweepers; and Trailers.
- Sub-Group B, Purchase of Replacement Parts, Consumable, and Accessories: The purchases under this sub-group include, but are not limited to, lawn equipment related parts; consumables and miscellaneous supplies (e.g.: oils, fish-lines, edger blades, spark plugs, filters); batteries and accessories (e.g.: switches, terminals and ends, trays, etc.); tires, protective wears (e.g.: eyes, ears, head and face protective wear, chaps, vests, etc.); mower coves, etc.

Group 2: Repair Services The work under this group includes, but is not limited to, mechanical repair for out of warranty lawn equipment, painting, welding; provision, removal, and installation of parts, consumables, and accessories.

BCC Meeting: January 23, 2019

Research Notes

- Sub-Group A, In-Shop Repair Services: for repair conducted at the Vendor's repair shop. Vendors under this sub-group may be required to pick-up the equipment from the County's facilities and deliver them back within the timeframe specified in the ITQ or WOPR from the County.
- Sub-Group B, Mobile Repair Services: for repair conducted at County's facilities.

Group 3: Rental/Lease of Lawn Equipment and Trailers The rentals and leases under this group includes, but are not limited to, hand held, riding, and tractor mowers; miscellaneous lawn equipment and its attachments; and trailers.

The fiscal impact for the eight-year term is \$10,874,000.00. The current pool, 6879-0/18, is valued at \$7,373,100.00 for a five (5) year and three months term and is scheduled to expire on February 28, 2019. The annual allocation under the current pool is \$2,071,238,400 while the annual allocation is \$1,359,250.00 under the proposed pool. A difference of \$711,988.00 less in the proposed pool.

Four vendors responded and three more after the submittal deadline. One of the firms was a no bid. At this time six vendors are being recommended for inclusion in the pool (Al's Lawnmower Sales and Service, Inc., Blanchard Machinery, Inc. (Local), Equipment Sales of South Florida, LLC. (Local), Joe Blair Garden Supply, Inc. (Local), Richards Tractors & Implements, Inc. (Local), and SDDJ, Corporation (Local). All six vendors are local per Sunbiz.org, the Official website for the State of Florida's Division of Corporation and five of the six firms have a local address per the Tax Collector's website. All of the recommended firms have an active status in Sunbiz. Of the six recommended vendors, the following five are incumbents as they are included in the current contract under 6879-0/18 Al's Lawnmower Sales and Service, Inc., Equipment Sales of South Florida, LLC., Joe Blair Garden Supply, Inc., Richards Tractors & Implements, Inc., and SDDJ, Corporation.

The Division of Policy and Legislation of OCA performed a search for commodity code 51515 (Engines, Motors and Parts) and commodity code 98347 (Lawn Equipment Rental or Lease) on the Business Management Workforce System's Certified Vendor Directory on January 16, 2019. The following SBE's were identified:

Vendor under commodity code 51515	Location	Certification
Al's Lawnmower Sales and Service, Inc.	Palmetto Bay, FL	SBE-G&S
JED Lawn Service LLC	Miami, FL	DBE/SBE-G&S
Joe Blair Garden Supply, Inc.	Miami, FL	SBE-G&S
Vendor's under commodity code 98347	Location	Certification
None		

ADDITIONAL INFORMATION

American Business Forms Inc.'s has an A+ rating with the Better Business Bureau.

<https://www.bbb.org/us/mn/glenwood/profile/business-form-printer/american-solutions-for-business-0704-96051562>

Richards Tractors & Implements, Inc., has an A rating with the Better Business Bureau.

<https://www.bbb.org/us/ct/old-saybrook/profile/marine-sales-and-service/johnston-marine-llc-0111-87088181>

Joe Blair Garden Supply, Inc. has an A+ rating with the Better Business Bureau.

<https://www.bbb.org/us/fl/miami/profile/boat-repair/sea-power-inc-0633-90081452/complaints>

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8G1
File No. 190026**

Researcher: LE Reviewer: TD

RESOLUTION APPROVING THE AMENDED BUDGET FOR FISCAL YEAR 2017-18 AND BUDGET FOR FY 2018-19 FOR THE MIDTOWN MIAMI COMMUNITY REDEVELOPMENT AGENCY AND THE MIDTOWN COMMUNITY REDEVELOPMENT AREA TOTALING \$6,628,202.00 AND \$6,818,257.00, RESPECTIVELY [SEE ORIGINAL ITEM UNDER LEGISAR FILE NO. 182750)

ISSUE/REQUESTED ACTION

Whether the Board should approve the amended budget for fiscal year 2017-18 and budget for FY 2018-2019 for the Midtown Miami Community Redevelopment Agency and the Midtown Community Redevelopment Area totaling \$6,628,202.00 and \$6,818,257.00.

APPLICABLE LEGISLATION/POLICY

Section 163.387 of the Florida Statutes, provides that the annual funding of the redevelopment trust fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment under this part. Such increment shall be determined annually.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=section+163.387&URL=0100-0199/0163/Sections/0163.387.html

Resolution No. R-213-05, adopted by the Board on March 1, 2005, declares the Mid-Town Miami Redevelopment Area bounded by NE 36th Street on the north, NE 2nd Avenue on the east, NE 29th Street on the south, and North Miami Avenue on the west, to be a slum or blighted area, declares the rebuilding, rehabilitation, conservation, and redevelopment of the area, finding need for creation of a Community Redevelopment Agency, and delegate certain community redevelopment powers to the City of Miami.

<http://intra/gia/matter.asp?matter=050232&file=true&yearFolder=Y2005>

Ordinance No. 05-108, adopted by the Board on June 7, 2005, relates to the redevelopment of the Mid-Town Miami Redevelopment Area and establishes a Redevelopment Trust Fund, providing for appropriation of funds and calculation of increment for deposit into fund, and setting forth obligation to appropriate to fund and duration of obligation.

<http://intra/gia/matter.asp?matter=051266&file=true&yearFolder=Y2005>

Resolution No. R-626-05, adopted by the Board on June 7, 2005, approves a community redevelopment plan regarding the Mid-Town Miami Redevelopment Area and approves an interlocal agreement between the County, the City of Miami, and the Midtown Miami Community Redevelopment Agency.

<http://intra/gia/matter.asp?matter=051402&file=true&yearFolder=Y2005>

Resolution No. R-840-08, adopted by the Board on July 17, 2008, approves a second amendment to the interlocal agreement between Miami-Dade County, the City of Miami, the Midtown Miami Community Development District, and the Midtown Miami Community Redevelopment Agency. The second amendment removes the requirement that the project must obtain a certain number of certificates of occupancy prior to the Agency funding the Midtown Miami Development District and allows the Agency to make payments to the District for debt service on the parking garage and public plaza that were completed.

<http://intra/gia/matter.asp?matter=082093&file=true&yearFolder=Y2008>

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-100-18, adopted by the Board on February 6, 2018, approves the Fiscal Year 2017-2018 budget for the Midtown Miami Community Redevelopment Agency in the amount of \$6,628,404.00.

<http://intra/gia/matter.asp?matter=172930&file=true&yearFolder=Y2017>

City of Miami Resolution No. R-18-0420, adopted by the City of Miami Commission on September 27, 2018, approves the Midtown Miami Community Redevelopment Agency's budget for FY 2018-19 of \$6,818,257.

http://miamifl.ig2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=1897&MediaPosition=1512.456&ID=4552&CssClass=

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Department/Requester: Office of Management and Budget

During the HSSC meeting on December 10, 2018, the item was amended to correct a scrivener's error and removed the next to last sentence of the last paragraph of the original item which reads, "This expenditure amount was reduced to take into account the revenue adjustment".

The item was forwarded to the BCC with a favorable recommendation.

ANALYSIS

This item is requesting Board approval of the amended budget for Fiscal Year 2017-2018 and budget for FY 2018-2019 for the Midtown Miami Community Redevelopment Agency and the Midtown Community Redevelopment Area totaling \$6,628,202.00 and \$6,818,257.00.

For FY 2017-18, the Countywide tax increment financing (TIF) payment into the Community Redevelopment Agency's Trust Fund was \$2,555,958 and the City's TIF payment was \$4,072,244. The County will continue to make annual payments to the Agency based on each year's growth of ad valorem revenues over the base year through 2037 which is when the Agency and Area will sunset. The Agency's revenue source is through TIF which is generated through the incremental growth of ad valorem revenues beyond an established base year.

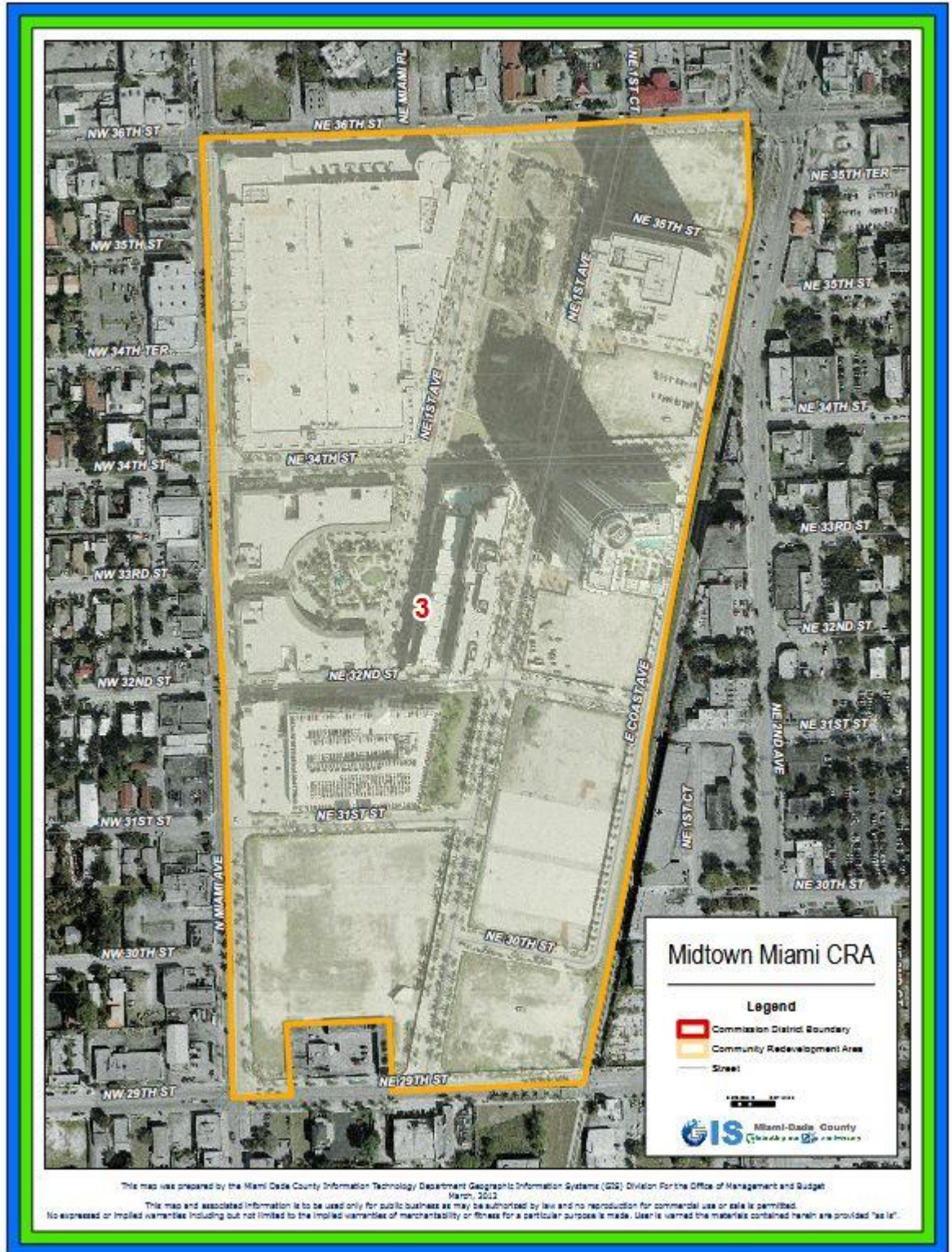
Resolution No. R-100-18 approved the Agency and the Area's budget for FY 2017-18 in the amount of \$6,628,404. The Agency amended the budget which now totals \$6,628,202, a difference of \$202. The Agency and City of Miami proposed to amend the budget in accordance for the correct amount of the City's contribution to the Trust Fund. The Board previously approved the budget that included a contribution from the City in the amount of \$4,072,446 when their actual contribution was \$4,070,244. Furthermore, the Agency and City propose to amend the administrative expenditures item to include \$66,282, a \$2 difference. These expenses represent one percent of the total tax increment revenues according to the second amendment in Resolution No. R-840-08.

The operating expenditures for the amended FY 2017-18 budget are \$6,561,920 and operating expenditures for FY 2018-19 budget totaling \$6,750,074 are entirely transfers to the District to pay for annual debt service payments on the 2004A series bonds that were issued for a parking garage structure in the Midtown Miami development. The expenditure amount for FY 2017-18 budget was reduced to take into account the revenue adjustment.

The Agency's FY 2018-19 budget is \$6,818,257 and was approved by the Agency and the City of Miami on September 27, 2018 through the City of Miami Commission Resolution No. R-18-0420. The budget includes the County's \$2,597,084 and the City's \$4,221,173 in TIF revenue sources. The administrative expenditures are \$68,183. According to Resolution No. R-840-08, the second amendment to the interlocal allows these expenses to represent one percent of the total tax increment revenues.

BCC Meeting: January 23, 2019
Research Notes

A map of the Midtown Miami Community Redevelopment Area is depicted below.



**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8G2
File No. 182733**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING FISCAL YEAR 2018 - 2019 MIAMI BEACH REDEVELOPMENT AGENCY AND THE MIAMI BEACH CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA'S BUDGET TOTALING \$85,795,000.00

ISSUE/REQUESTED ACTION

Whether the Board should approve the Fiscal Year 2018-2019 Miami Beach Redevelopment Agency and the Miami Beach City Center/Historic Convention Village Redevelopment and Revitalization Area's budget totaling \$85,795,000.00.

APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

Resolution No. R-599-15, adopted by the Board on June 30, 2015, allows for designee to be appointed to CRA.

<http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015>

Part III of Chapter 163 of Florida Statutes defines the meaning of a "blighted area" to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163.html

Section 163.410 of Florida Statutes states that the exercise of powers in counties with home rule charters does not affect any Community Redevelopment Agency created by a municipality prior to the adoption of a county home rule charter.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163.html

Resolution No. R-499-16, adopted by the Board June 7, 2016, establishes guidelines for county commission approvals related to new and existing community redevelopment agencies and directs the County Mayor or the County Mayor's designee to deny certain requests from community redevelopment agencies that are deemed approved by law, if not approved within the allowed timeframe

<http://intra/gia/matter.asp?matter=161526&file=false&yearFolder=Y2016>

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-14-93, adopted by the Board on January 26, 1993, declared a certain geographic area within the City of Miami Beach described generally as being bounded on the east by the Atlantic Ocean, on the north by 24th Street, on the west by West Avenue, and on the south by 14th Lane, to be a “blighted area”, making a finding of necessity as to the rehabilitation, conservation or redevelopment, of such area, and delegating certain powers to the City of Miami Beach for the redevelopment of the area. (The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Commission Auditor.)

Resolution No. R-317-93, adopted by the Board on March 30, 1993, pertained to certain geographic area within the City of Miami Beach called City Center/Historic Convention Village Redevelopment and Revitalization Area, described generally as being bounded on the east by Atlantic Ocean, on the north by 24th Street, on the west by West Avenue, and on the south by 14th Lane; accepted delivery of the Redevelopment Plan from the City of Miami Beach and made certain findings with respect to the Plan and Geographic Area; adopted the Redevelopment Plan; delegated certain powers to the City Commission of the City of Miami Beach for the redevelopment of the geographic area; and approved an Interlocal Cooperation Agreement and authorized the execution of the Agreement.

(The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Commission Auditor.)

Resolution No. R-958-04, adopted by the Board on July 27, 2004, approves term and execution of the Interlocal Agreement between Miami-Dade County, City of Miami Beach and Miami Beach Redevelopment Agency to provide for annual administrative fee to be paid to County and City from tax increment revenues derived from South Pointe Redevelopment Area and City Center/Historic Convention Village Redevelopment and Revitalization Area, and to provide approval for issuance by Miami Beach Redevelopment Agency of certain refunding bonds.

<http://www.miamidade.gov/govaction/matter.asp?matter=042067&file=true&fileAnalysis=false&yearFolder=Y2004>

Resolution No. R-1110-14, adopted by the Board on December 16, 2014, approves an amendment to the Agency's Redevelopment Plan to extend the life of the Agency until 2044, and approves the Third Amendment to the Interlocal Cooperation Agreement. The Third Amendment, among other things (i) allows the Agency to issue \$430 million in bonds to refund existing debt and partially fund the Miami Beach Convention Center renovations, and (ii) delineates the annual administrative and operating expenditures for the Agency, and any remaining funding to be used to extinguish debt early.

<http://www.miamidade.gov/govaction/matter.asp?matter=142765&file=false&fileAnalysis=false&yearFolder=Y2014>

Ordinance No. 14-133, adopted by the Board on December 16, 2014, obligates the County to fund the Trust Fund until March 31, 2044, or until all debt service for the Convention Center has been retired.

<http://intra/gia/matter.asp?matter=142262&file=true&yearFolder=Y2014>

Resolution No. R-644-18, adopted by the Board on June 19, 2018 approved the Fourth Amendment among Miami-Dade County, City of Miami Beach Redevelopment Agency to Interlocal Cooperation Agreement dated November 16, 1993.

<http://intra/gia/matter.asp?matter=181188&file=true&yearFolder=Y2018>

PROCEDURAL HISTORY

Prime Sponsor: Housing and Social Services Committee

Department/Requester: Office of Management and Budget

The proposed resolution has no procedural history.

ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163.330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

BCC Meeting: January 23, 2019
Research Notes

On January 26, 1993, the Board adopted Resolution No. R-14-93, which (i) declared a certain geographic area within the City of Miami Beach described generally as being bounded on the east by the Atlantic Ocean, on the north by 24th Street, on the west by West Avenue, and on the south by 14th Lane, to be a “blighted area”, making a finding of necessity as to the rehabilitation, conservation or redevelopment, of such area; (ii) delegated to the City of Miami Beach the power to make findings of necessity as to the rehabilitation, conservation, and redevelopment of the Redevelopment Area; and (c) create a Community Redevelopment Agency and delegate powers to the agency, or declare itself as the agency with the power to exercise such powers; (d) initiate, prepare and adopt a plan of redevelopment and any amendments.

On March 30, 1993, the Board adopted Resolution No. R-317-93, which among other things (i) adopted the Agency’s City Center/Historic Convention Village Redevelopment and Revitalization Area Plan for the redevelopment and revitalization of the Redevelopment Area, and (ii) approved the Interlocal Cooperation Agreement between Miami-Dade County and the City, dated and executed on November 16, 1993.

On April 27, 1993, the Board adopted Ordinance No. 93-28, which created a City Center/Historic Convention Village Redevelopment and Revitalization Trust Fund, and provided a funding mechanism for implementation of the Plan.

On September 9, 2003, the Board adopted resolution No. R-889-03, which approved a First Amendment to the CRA Interlocal Agreement, which delegated to the City the power to implement community policing innovations within the Redevelopment Area.

The Miami Beach Community Redevelopment Agency has jurisdiction over two community redevelopment districts located in the City of Miami Beach known as City Center/Historic Convention Village and South Pointe. Resolution No R-958-04, adopted by the Board on July 27, 2004, approved a Second Amendment to the Interlocal Agreement between Miami-Dade County, City of Miami Beach and Miami Beach Redevelopment Agency to provide for annual administrative fee to be paid to the County and City from tax increment revenues derived from South Pointe Redevelopment Area and City Center/Historic Convention Village Redevelopment and Revitalization Area, and to provide approval for issuance by Miami Beach Redevelopment Agency of certain refunding bonds.

Resolution No. R-1110-14, adopted by the Board on December 16, 2014, approved an amendment to Miami Beach City Center/Historic Convention Village Redevelopment and Revitalization Area Plan. It also approved a Third amendment to the Interlocal Agreement, which among other things (i) allowed the Agency to issue \$430 million in bonds to refund existing debt and partially fund the Miami Beach Convention Center renovations, and (ii) delineated the annual administrative and operating expenditures for the Agency, and any remaining funding to be used to extinguish the debt early. Additionally, the Board adopted Ordinance No. 14-133, obligating the County to fund the Trust Fund until March 31, 2044, or until all debt service for the Convention Center has been retired.

On October 19, 2017, the City informed the County of construction delays and damage to the Convention Center project due to a large rain storm that occurred on August 1, 2017, followed by the impact of Hurricane Irma. Aside from the damage of the storms, the delays caused additional expenses related to the Convention Center being prepared for Art Basel. The City funded these shortfalls and requested that the Agency be allowed to reimburse the City for the unforeseen extraordinary expenses.

Resolution No. R-644-18, adopted by the Board on June 19, 2018 approved the Fourth Amendment among Miami-Dade County, City of Miami Beach Redevelopment Agency to Interlocal Cooperation Agreement dated November 16, 1993. This resolution resulted in the City receiving a \$6,914,221 million reimbursement from the Miami Beach Redevelopment Agency for unanticipated additional expenses related to Convention Center construction and renovation as a result of storm damage.

The proposed resolution seeks the Board’s approval of the Fiscal Year 2018-2019 Miami Beach Redevelopment Agency and the Miami Beach City Center/Historic Convention Village Redevelopment and Revitalization Area’s budget totaling \$85,795,000.00.

BCC Meeting: January 23, 2019
Research Notes

According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. The County and City TIF payment into the Trust Fund for FY 2018-19 total \$23.842 million and \$29.299 million, respectively.

A summary of projects recommended for funding in the FY 2018/19 Capital Budget is presented below:

Redevelopment Agency City Center Capital Renewal and Replacement Fund

- Colony Theatre Fire Alarm System Upgrade - \$78,000
- Fillmore Site Lighting Renovations - \$60,000

Non-TIF (Tax Increment Financing) Redevelopment Agency Fund

- De-appropriation of funding remaining for Lincoln Road, Lenox to Collins with Side Streets project (refurbishment of the pedestrian mall) - \$6,865,154

City Center Redevelopment Agency Capital Fund

- Lincoln Road, Lenox to Collins with Side Streets project (refurbishment of the pedestrian mall) - \$20,000,000 (from prior year excess RDA Trust Fund revenues is to be allocated to pre-existing Lincoln Road Capital Project, previously authorized as part of the Third Amendment to the Interlocal Agreement between Miami-Dade County and the City of Miami Beach, for a total project amount up to \$40 million)

Redevelopment Agency Garage Fund

16th Street (Anchor) Garage Painting - \$100,000 (CRR Project)

Penn Garage Fund

- Penn Garage – New Lighting Display - \$135,000 (CCR Project)

BCC Meeting: January 23, 2019
Research Notes

The below map depicts the Miami Beach Community Redevelopment Area's geographic boundaries. The Area's boundary is generally defined as the area bounded on the North by 24th Street, South by 14th Lane, East by the Atlantic Ocean and West by West Avenue.



ADDITIONAL INFORMATION

Miami Beach City Center District CRA

<https://www.miamidade.gov/redevelopment/miami-beach.asp>

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8G3
File No. 182752**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2018-19 FOR THE FLORIDA CITY COMMUNITY REDEVELOPMENT AGENCY AND THE FLORIDA CITY COMMUNITY REDEVELOPMENT AREA TOTALING \$5,841,496.00

ISSUE/REQUESTED ACTION

Whether the Board should approve the budget for Fiscal Year 2018-19 for the Florida City Community Redevelopment Agency and the Florida City Community Redevelopment Area totaling \$5,841,496.00.

APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

Resolution No. R-599-15, adopted by the Board on June 30, 2015, allows for designee to be appointed to CRA.

<http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015>

Resolution No. R-975-95, adopted by the Board on June 6, 1995, pertained to certain geographic area within the City of Florida City described generally as bounded by Redland Road on the west, NW 2nd Street and Lucy Street on the north, State Road 821 and the City of Florida City municipal limits on the east, and SW 1st Street and the Florida City municipal limits on the south; accepted delivery of the Redevelopment Plan from the City of Florida City and made certain findings with respect to the Redevelopment Plan and the geographic area; and adopted the Redevelopment Plan.

(The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Commission Auditor.)

Ordinance No. 95-108, adopted by the Board on June 6, 1995 pertained to the Redevelopment of the Florida City Community Redevelopment Area.

(The ordinance is not in Legistar. Please find a copy attached.)

Ordinance No. 97-132, adopted by the Board on July 8, 1997, provided a First Amendment to the Florida City Community Redevelopment Plan and the Interlocal Cooperation Agreement, and delegated Eminent Domain power to Florida City.

(The ordinance is not in Legistar. Please find a copy attached.)

Resolution No. R-1010-03, adopted by the Board on September 23, 2003, approved a Second Amendment to the Florida City Community Redevelopment Plan delegating to the City of Florida City the power to implement Community Policy Innovations within the Florida City Community Redevelopment Area in accordance with the approved Redevelopment Plan.

(The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Commission Auditor.)

BCC Meeting: January 23, 2019
Research Notes

Resolution No. R-645-09, adopted by the Board on June 2, 2009, declared four geographic areas of Miami-Dade County, Florida located in the City of Florida City to be slum or blighted areas; declared rehabilitation, conservation or redevelopment, or combination thereof, of the areas to be necessary in the public interest of public health, safety, morals or welfare of residents of Miami-Dade County; and approved an amendment to and restatement of the Redevelopment Plan for the Florida City Community Redevelopment Agency.

<http://intra/gia/matter.asp?matter=091412&file=true&yearFolder=Y2009>

Resolution No. R-683-09, adopted by the Board on June 2, 2009, approved a Third Amendment to Interlocal Cooperation Agreement between Miami-Dade County, the City of Florida City and the Florida City Community Redevelopment Agency.

<http://intra/gia/matter.asp?matter=091426&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: Office of Management and Budget

The proposed resolution was considered at the December 10, 2018 Housing and Social Services Committee meeting.

Commissioner Martinez requested that his vote be recorded as a “no” for all Community Redevelopment Agency items.

The proposed resolution was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163.330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

On June 6, 1995, the Board adopted Resolution No. R-975-95, which pertained to certain geographic area within the City of Florida City described generally as bounded by Redland Road on the west, NW 2nd Street and Lucy Street on the north, State Road 821 and the City of Florida City municipal limits on the east, and SW 1st Street and the Florida City municipal limits on the south; accepted delivery of the Redevelopment Plan from the City of Florida City and made certain findings with respect to the Redevelopment Plan and the geographic area; and adopted the Redevelopment Plan.

On June 6, 1995, the Board adopted Ordinance No. 95-108, which pertained to the Redevelopment of the Florida City Community Redevelopment Area and approved funding of the Redevelopment Plan. The CRA was created to address the massive devastation caused by Hurricane Andrew on August 24, 1992.

On July 8, 1997, the Board adopted Ordinance No. 97-132, which provided a First Amendment to the Florida City Community Redevelopment Plan and the Interlocal Cooperation Agreement, and delegated Eminent Domain power to Florida City to allow for the acquisition of properties.

On September 23, 2003, the Board adopted Resolution No. R-1010-03, which approved a Second Amendment to the Florida City Community Redevelopment Plan delegating to the City of Florida City the power to implement Community Policy Innovations within the Florida City Community Redevelopment Area in accordance with the approved Redevelopment Plan.

On June 2, 2009, the Board adopted Resolution No. R-645-09, which approved an expansion to the Agency’s boundaries and declared four geographic areas of Miami-Dade County, Florida located in the City of Florida City to be slum or blighted areas; declared rehabilitation, conservation or redevelopment, or combination thereof, of the areas to be necessary in the public interest

BCC Meeting: January 23, 2019
Research Notes

of public health, safety, morals or welfare of residents of Miami-Dade County; and approved an amendment to and restatement of the Redevelopment Plan for the Florida City Community Redevelopment Agency.

On June 2, 2009, the Board adopted Resolution No. R-698-09, which approved a Third Amendment to the Interlocal Agreement between Miami-Dade County, the City of Florida City and the Florida City Community Redevelopment Agency to grant the Agency the necessary power to implement the new Plan.

The proposed resolution requests the Board's approval of the budget for Fiscal Year 2018-19 for the Florida City Community Redevelopment Agency and the Florida City Community Redevelopment Area totaling \$5,841,496.00.

According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. The countywide TIF payment into the Agency's Trust Fund is \$794,181 and the City's TIF payment into the Trust Fund is \$1,222,832.

As explained above, during 2009, the CRA completed a revised Community Redevelopment Plan. The focus of the original Plan had been on the recovery from Hurricane Andrew, the facilitation of revenue enhancing commercial development projects, and the development of public/private partnerships to generate new construction.

The 2009 revision of the Plan provided for the expansion of the area. The expanded area contains a large residential area in Northwest Florida City in which the infrastructure was deficient and which had many older and dilapidated structures. Much of the focus and spending of the CRA since 2009 was and in the coming years, will continue to be, the correction of this infrastructure deficit and upgrading the appearance and quality of life in this predominately African-American neighborhood. Emphasis will also be on arresting the blighting effects of dilapidated structures in this residential neighborhood through rehabilitation of some structures and the demolition of others that are beyond repair.

Some of the proposed projects for FY 2018-19 include the following:

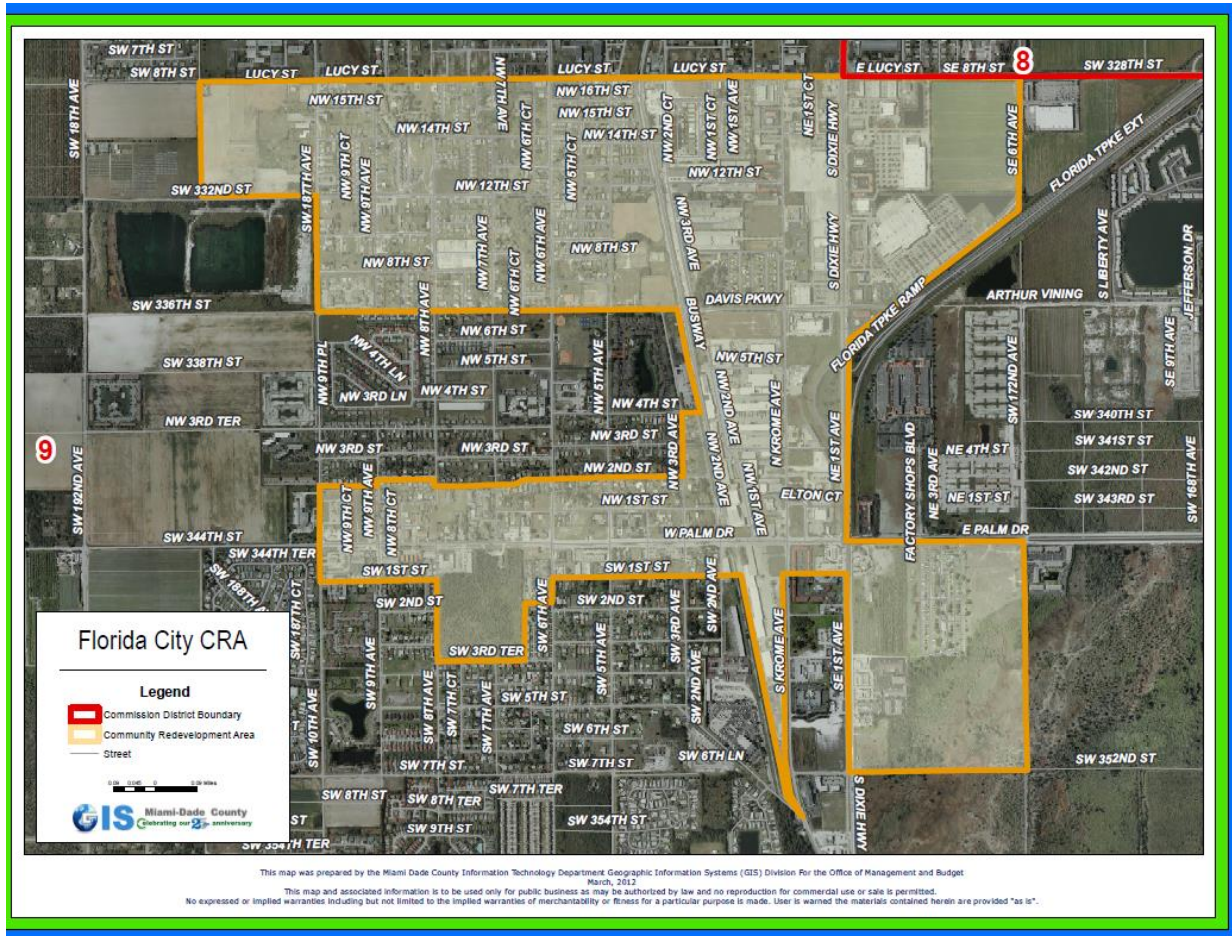
Commercial and Industrial Façade Program: The CRA has adopted a Commercial and Industrial Building Façade Program to assist building owners with the area in upgrading the appearance of their buildings. The first area to be addressed was the industrial area around NW 12th Avenue and NW 3rd Ave. The façade project is budgeted for \$20,000.

Commercial Building Improvement Grant Program: The CRA has budgeted \$30,000 for grants to assist new and expanding businesses to relocate into unused shopping center and commercial spaces. The program requires a match from the business and a contribution from the building owner as well.

FEC Railroad Depot Building: The Florida East Coast Railroad Depot Building is a faithful reconstruction of the original Florida East Coast Railroad Depot building that served Florida City and Homestead in the early 1900s. The original depot was destroyed by Hurricane Andrew in 1992 and was reconstructed in 1995.

BCC Meeting: January 23, 2019
Research Notes

A map of the Florida City Community Redevelopment Area is depicted below:



ADDITIONAL INFORMATION

The Florida City Community Redevelopment Agency was created jointly by the City of Florida City and Miami-Dade County in 1995. The purpose was to assist the City in the redevelopment of a defined Community Redevelopment Area. This area has been modified once in 2009.

The Community Redevelopment Agency provides needed infrastructure to businesses desiring to locate within the Community Redevelopment Area. Projects in the past have funded water and sewer lines, street upgrades, sidewalks and handicap access, deceleration lanes, and landscaping.

<http://www.floridacityfl.gov/CRA/index.php>

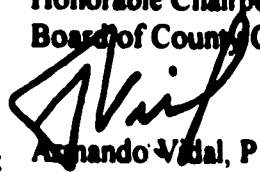


MEMORANDUM

Agenda Item No. 7(L)

(Public Hearing 6-20-95)

TO: Honorable Chairperson and Members
Board of County Commissioners

FROM:  Armando Vidal, P.E.
County Manager

DATE: June 6, 1995

SUBJECT: Ordinance Relating to the
Redevelopment of Florida
City Community
Redevelopment Area

95-108

Recommendation

It is recommended that the Board adopt this ordinance which establishes a Redevelopment Trust Fund, provides for the appropriation of County funding and other terms and conditions relating to the Florida City Community Redevelopment Area. The attached ordinance is being submitted for your adoption at the request of the City of Florida City.

Background

The Florida City Community Redevelopment Area is to be financed with tax increment revenues and other financing mechanisms. Enactment of the attached ordinance will put the tax increment financing process in place pursuant to the Community Redevelopment Act of 1969 as presently contained in Part III of Chapter 163 of the Florida Statutes. This Ordinance establishes a redevelopment trust fund for which tax increment funds are to be used in conjunction with other revenues to finance the redevelopment of the Florida City Community Redevelopment Area. The Ordinance also sets forth the County's obligation to appropriate tax increment funds to the redevelopment project and provides for certain county approval and review requirements. For example, County review and authorization is required of plan amendments, bond indentures, other financing instruments, and ordinances or resolutions authorizing financing instruments.

Economic Impact Analysis

The City of Florida City projects that the assessed values of properties in the redevelopment area will increase from \$41.9 million in 1994 (base year) to \$81.6 million in 2004. This projection assumes that the taxable assessment base will grow at 1% annually through 1997. However, the plan also anticipates that approximately \$7.4 million of new projects will be added to the taxable base which will result in an annual average growth of 6.4%. In 1998 another \$10.1 million project is expected to be added to the tax base representing an increase of 20% for the period 1997 through 1998. For the period 1998 through 2004 the taxable base will grow 5% annually. No major projects are anticipated to be added to the taxable base during this period. Total tax increment revenues to be generated, based on the above projections, are estimated to be approximately \$2.9 million over a ten year period. The County's and the City's tax contributions over the 1994-2004 are estimated to be \$1,471,000 and \$1,447,000 respectively based upon current millage rates. The County's and the City's estimated annual tax increment revenue contributions are presented at Exhibit B, attached hereto.

**Honorable Chairperson and Members
Board of County Commissioners
Page 2**

1001-20

The benefits of the redevelopment effort involve a rebuilding of the economic base of Florida City, expanding job markets and improving properties both within and outside the redevelopment area. Both community and citizen morale will be improved as a result. The City of Florida City and Dade County will benefit from the aggressive marketing of the area, and in addition, state and federal grants may be obtained for the rebuilding effort. Additional County revenue may be generated by an increase in occupational license fees, building permits, and other assessments which will apply to new businesses. The accelerated pace of rebuilding will also generate an economic spin-off to area businesses, tourism, and industries.

ORDINANCE NO. **95-108**

ORDINANCE RELATING TO REDEVELOPMENT OF FLORIDA CITY COMMUNITY REDEVELOPMENT AREA LYING IN TOWNSHIP 57 SOUTH, RANGE 39 EAST, SECTIONS 19 AND 30 AND TOWNSHIP 57 SOUTH, RANGE 38 EAST, SECTIONS 24 AND 25, DADE COUNTY, FLORIDA DESCRIBED GENERALLY AS BOUNDED BY REDLAND ROAD ON THE WEST, N.W. 2ND STREET AND LUCY STREET ON THE NORTH, STATE ROAD 821 AND THE CITY OF FLORIDA CITY MUNICIPAL LIMITS ON THE EAST, AND S.W. 1ST STREET AND THE FLORIDA CITY MUNICIPAL LIMITS ON THE SOUTH ESTABLISHING REDEVELOPMENT TRUST FUND; PROVIDING FOR APPROPRIATION OF FUNDS AND CALCULATION OF INCREMENT FOR DEPOSIT INTO FUND; SETTING FORTH OBLIGATION TO APPROPRIATE TO FUND AND DURATION OF OBLIGATION; PROVIDING FOR LIMITED COUNTY APPROVAL OF DEBT; PROVIDING FOR REVIEW OF FINANCIAL RECORDS AND RIGHT OF AUDIT; PROVIDING FINDING OF PUBLIC PURPOSE; PROVIDING SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida enacted the Community Redevelopment Act of 1969 (the "Act") which is presently contained in Part III of Chapter 163, Florida Statutes, as amended; and

WHEREAS, the Act confers all redevelopment powers upon counties with home rule charters and authorizes such counties to delegate the exercise of such powers within the boundaries of a municipality to the governing body of such municipality; and

WHEREAS, the City of Florida City (the "City"), pursuant to Part III of Chapter 163, Florida Statutes, as amended, indicated its wish to undertake a project within its municipal boundaries that will involve the redevelopment, in accordance with a plan for redevelopment, of that portion of the City which is specifically

described on the attached map and legal description made a part hereof as Exhibit "A" (the "Redevelopment Area"); and

WHEREAS, Dade County (the "County") has adopted Resolution No. 288-93 on March 2, 1993 making certain findings and delegating certain powers to the City pursuant to Part III, Chapter 163, Florida Statutes (1993), as amended, for the redevelopment of the Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Dade County, Florida (the "Board") adopted Resolution No. R-700-95 on May 18, 1995 ("County Resolution No. R-700-95") which, among other things, found the City of Florida City to be an area devastated from Hurricane Andrew and, determined that it is necessary to redevelop said City and establish a community redevelopment agency to redevelop such area, and delegated to the City Commission the requisite authority to exercise redevelopment powers conferred upon Dade County, Florida (the "County") within the City in accordance with Part III, Chapter 163, Florida Statutes (1993), so as to enable the City Commission to, among other things, make a finding of necessity with respect to the City, establish and designate a community redevelopment agency, delegate certain powers to the redevelopment agency, and develop and approve a redevelopment plan for final approval by the Board; and

WHEREAS, by Resolution No. 95-12, adopted on May 23, 1995, the City Commission approved and accepted the Florida City Community Redevelopment Plan ("The Plan"); and

4

WHEREAS, at the City's request, the County has adopted a resolution pursuant to the provisions of Section 163.360, Florida Statutes, as amended, approving The Plan to enable the City to undertake redevelopment of the Redevelopment Area; and

WHEREAS, by Resolution No. 95-13, adopted on May 23, 1995, the City Commission declared the need to establish a community redevelopment agency and declared the members of the City Commission as the members of the community redevelopment agency which shall be named "Florida City Community Redevelopment Agency" and shall commonly be referred to as "The Agency"; and

WHEREAS, The Agency may not receive or spend any tax increment revenues pursuant to Section 163.387, Florida Statutes, as amended, unless and until this Board has, by ordinance, provided for the funding of a redevelopment trust fund for the duration of The Plan; and

WHEREAS, the County is sympathetic to the Florida City Community Redevelopment Area Project envisaged and proposed by the City pursuant to The Plan, which project will ultimately involve the expenditure of many millions of dollars, and which will be financed in part through a range of financing strategies suggested by the City to be secured by such revenue sources as are provided by law; and

WHEREAS, it is necessary to create a redevelopment trust fund to be funded with ad valorem tax increment revenues, pursuant to Sections 163.353 and 163.387, Florida Statutes, as amended, in

order to provide funds to finance or refinance the proposed community redevelopment and to facilitate the implementation of creative tax increment financing strategies; and

WHEREAS, this Board desires to accomplish the purposes outlined in the memorandum from the County Manager, a copy of which is attached hereto, for the reasons delineated therein; and

WHEREAS, this Board finds that establishing a redevelopment trust fund and providing for the appropriation into said fund of its tax increment as determined by statute is in the best interest of the citizens of Dade County and serves a public purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA;

Section 1. Incorporation of Foregoing Recitations. -- The foregoing recitations are hereby deemed true and correct and are hereby incorporated as a part of this ordinance.

Section 2. Establishment of Redevelopment Trust Fund; Appropriation of Funds; Calculation of Increment. -- The Florida City Community Redevelopment and Revitalization Trust Fund (the "Fund") is hereby established. Each taxing authority (as defined in Part III Chapter 163, Florida Statutes, as amended) shall annually pay into the Fund, a sum not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the community redevelopment area, and the City's undertaking and implementing of The Plan. The

increment shall be determined annually and shall be that amount equal to 95 percent of the difference between:

(a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area, and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Redevelopment Area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this ordinance.

The amount of ad valorem taxes levied each year will be based on the millage rate in effect in that year for each taxing authority.

Section 3. Obligation to Appropriate; Duration of Obligation; Limitations on Obligation, Bond Sales and Refundings: Accounting Requirements for County Increment. -- Each taxing authority shall by January 1st of each year appropriate to the Fund for so long as any indebtedness pledging the tax increment due the Fund is outstanding (but not to exceed 30 years), a sum not less than the increment as defined and determined by Section 2. In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined in Section 2 of this ordinance. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so

supported be refunded without amending this Ordinance. The County's obligation to fund the Fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of The Agency incurred as a result of redevelopment in the Redevelopment Area have been paid. The County's increment contribution is to be accounted for as a separate revenue within the Fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

Section 4. Moneys in The Fund may be expended from time to time for the following purposes, when directly related to financing or refinancing redevelopment in the Redevelopment Area pursuant to The Plan:

1. Administrative and overhead expenses necessary or incidental to the implementation of The Plan.
2. Expenses or redevelopment planning, surveys, and financial analysis, including the reimbursement of the City Commission or the City of Florida City or The Agency for such expenses incurred before The Plan was approved and adopted.
3. The acquisition of real property in the Redevelopment Area.

4. The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in Section 163.370, Florida Statutes (1993).

5. The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.

6. All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of agency bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other indebtedness.

Section 5. Review of financial records; right of audit. -- The financial records for the Fund shall be prepared pursuant to Section 163.387(8), Florida Statutes, as amended, and shall be available for County inspection. The County reserves the right of audit of the Fund.

Section 6. Public Purpose. -- This ordinance is hereby declared to be for a public purpose and for the welfare of the citizens of Dade County, Florida, and shall be liberally construed to effectuate the purpose thereof.

Section 7. Severability. -- If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 8. Inclusion in Code. -- It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

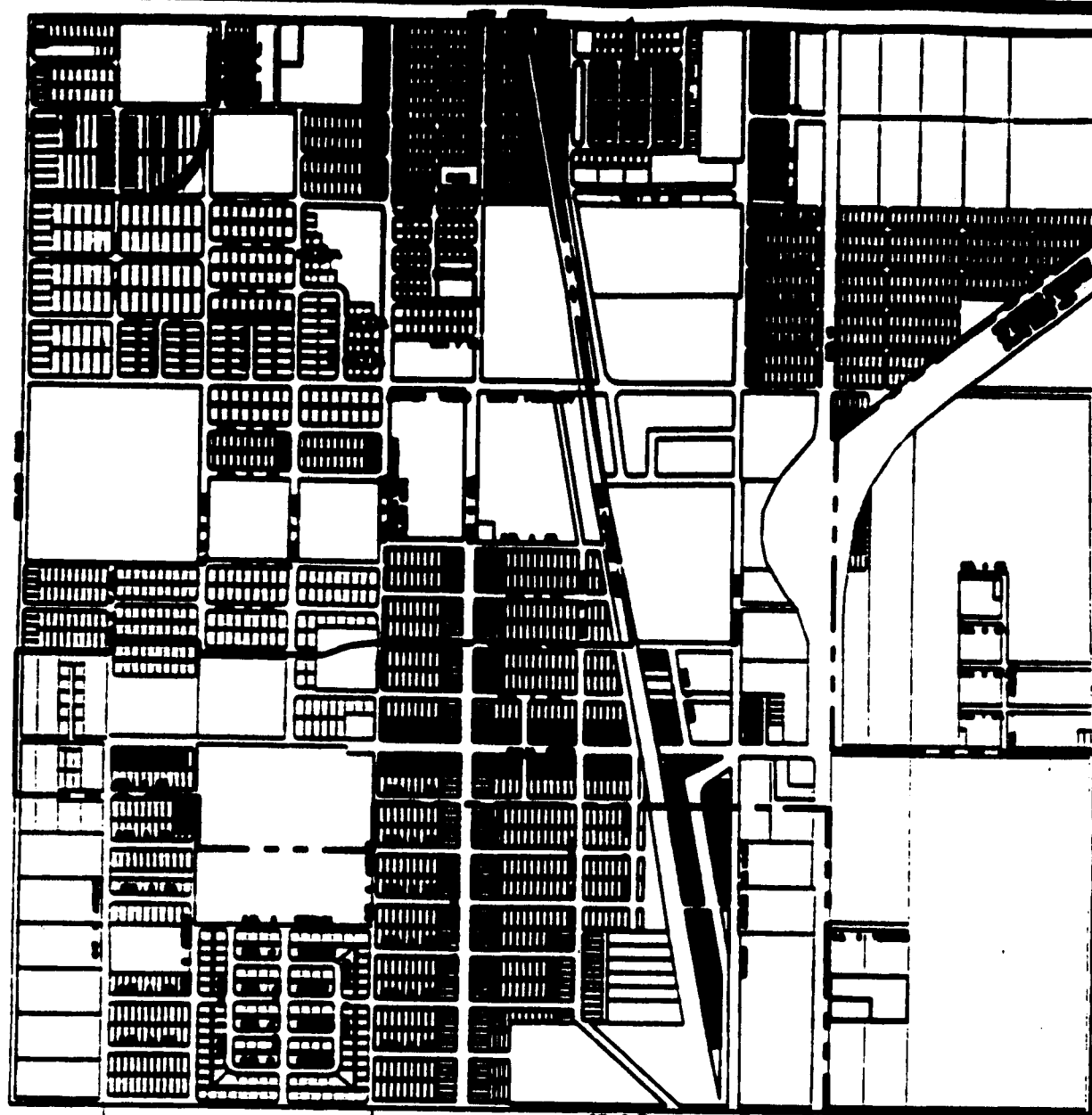
Section 9. Effective Date. -- This ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: JUN 20 1995

Approved by County Attorney as
to form and legal sufficiency. RAG

Prepared by: [Signature]

EXHIBIT A
MAP AND LEGAL DESCRIPTION OF PROPERTY



CITY MAP
SCALE 1" = 1/4"



— CRA BOUNDARY

Figure 2

JAMES DUNCAN & ASSOCIATES

10007 FIVE AVENUE NORTH
PALE BEACH GARDENS, FLORIDA 33498
TEL: (407) 676-6701 FAX: (407) 747-6880

CITY OF FLORIDA CITY
CRA BOUNDARY



AB₂MTCONSULTANTS, INC.

PLANNING - ENVIRONMENTAL

Florida City CRA Area - General Boundary Description

Revised 1-12-95

The proposed Florida City CRA area is generally described as follows:

Begin at the intersection of Redland Road (S.W. 187 Avenue) and N.W. 2nd Street; proceed east along the centerline of N.W. 2nd Street to the F.E.C. rail right-of-way; turn north and proceed along the centerline of the rail right-of-way to Lucy Street (S.W. 328 Street); turn east and proceed along Lucy Street to the Florida City municipal limits; turn south and proceed along the Florida City municipal limits to the intersection with the west right-of-way boundary of the Homestead Extension of the Florida Turnpike (H.E.F.T.); continue south along the west right-of-way boundary of the H.E.F.T. to the intersection with Palm Drive (S.W. 344 Street); turn east and proceed along the centerline of East Palm Drive to the Florida City municipal limits; turn south and proceed along the Florida City municipal limits; at the southeast corner of the Florida City municipal limits, turn west and proceed to U.S. 1; turn north along the centerline of U.S. 1; at the intersection of U.S. 1 with the theoretical extension of S.W. 1st Street turn west and proceed along the centerline of the theoretical extension of S.W. 1st Street until S.W. 2nd Avenue is reached; at S.W. 2nd Avenue continue west along the centerline of S.W. 1st Street until S.W. 6th Avenue is reached; turn south along the centerline of S.W. 6th Avenue until S.W. 2nd Street is reached; at S.W. 2nd Street turn west along the centerline of the theoretical extension of S.W. 2nd Street until S.W. 8th Avenue is reached; at that point turn north along the centerline of S.W. 8th Avenue and proceed until S.W. 1st Street is reached; at that point turn west along the centerline of S.W. 1st Street to the east boundary of the Brookers Subdivision; at the east boundary of the Brookers Subdivision continue west along the centerline of the theoretical extension of S.W. 1st Street until the intersection with Redland Road; turn north along the centerline of Redland Road to the intersection with N.W. 2nd Street, the point of beginning.

EXHIBIT B

Projected Revenues from TIF

Projected FEA Revenues from TIF

Year	Taxable Assessment Base (in \$ millions)	County TIF Contribution (\$)	City TIF Contribution (\$)	Total TIF Contribution (\$)
1994 (base)	41.9*	---	---	---
1995	42.1*	1,378	1,355	2,733
1996	47.0	35,141	34,560	69,701
1997	50.4	58,568	57,599	116,167
1998	60.5	128,161	126,040	254,201
1999	63.5	148,832	146,369	295,201
2000	66.7	170,881	168,053	338,934
2001	70.0	193,619	190,415	384,034
2002	73.5	217,735	214,133	431,868
2003	77.2	243,229	239,205	482,434
2004	81.6	273,547	269,021	542,568
Total	---	1,471,091	1,446,750	2,917,841

* Figures provided by Dade County Property Appraiser's Office. 1995 figure is preliminary.

Table Assumptions:

- 1) Base will grow 1% annually through 1997. Also building cost of 10 major permitted and planned projects are added which will result in an annual average growth of 6.4% (see discussion next page).
- 2) Base will grow at 5% annually from 1998 to 2004; no major projects are added.
- 3) Current millages apply through 2004. These are: FL City- 7.133 mills; Dade County- 7.253 mills; total- 14.386 mills.

Major Development Projects in FEAT Area - 1995-97 Period

	<u>Estimated Completion</u>
1. Palm Way North Apartments (under const.)	1995
2. Palm Way South Apartments (under const.)	1995
3. LaBodega (under const.)	1995
4. Las Palmas Townhomes (under const.)	1995
5. Florida City Medical Center (under const.)	1996
6. Florida City Country Club (in building permit)	1996
7. Econolodge Motel (in building permit)	1996
8. Denny's Restaurant (in plan review)	1996
9. Gas/Retail Station - US 1 south (in plan review)	1996
10. Shopping Center - U.S. 1 north of Palm Drive (planned)	1997

The estimated construction costs of the above-listed projects are included in the CRA tax base for the years 1995-97. Building costs are calculated using the area industry cost standard, provided by the Florida City Building Official, of \$45 per square foot of building space. For the first four (4) projects shown for completion in 1995, the estimated total construction cost is \$4.48 million. For projects 5-9 with projected completion in 1996, the approximate total building cost is \$2.94 million. Project 10 is a 225,000 square foot shopping mall planned to open in 1997 in Sub-Area 2 adjacent to the Florida Turnpike in 1997. A southbound Turnpike off-ramp to the mall is currently in the permitting stage with the Florida Department of Transportation. The estimated construction cost for the mall is \$10.1 million.

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE) SS:

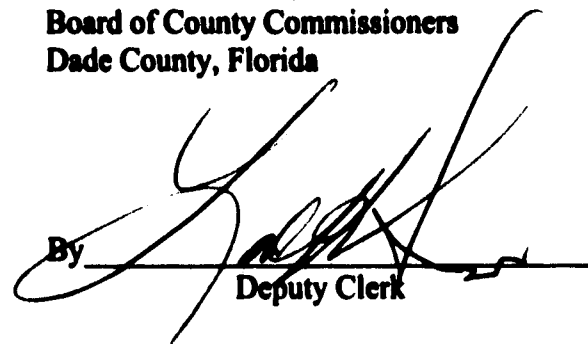
**I, HARVEY RUVIN, Clerk of the Circuit Court in and for Miami-Dade County,
Florida and Ex-Officio Clerk of the Board of County Commissioners of Said County,
Do Hereby Certify that the above and foregoing is a true and correct copy of the
Ordinance 95-108, adopted by said board of County Commissioners at its meeting held on
June 20, 1995.**

**IN WITNESS WHEREOF, I have hereunto set my hand and official seal on
this 24th day of May , A.D. 2001.**



SEAL

**HARVEY RUVIN, Clerk
Board of County Commissioners
Dade County, Florida**

By 
Deputy Clerk

**Board of County Commissioners
Miami-Dade County, Florida**

MEMORANDUM

Agenda Item No. 4(H)

(Public Hearing 7-22-97)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: July 8, 1997

FROM: Armando Vidal, P.E.
County Manager

SUBJECT: Amendment to the Florida
City Community Redevelopment
Plan and the Interlocal Cooperation
Agreement, delegating Eminent
Domain Power to Florida City

97-102

RECOMMENDATION

It is recommended that the Board adopt the attached ordinance approving the amendment to the Florida City Community Redevelopment Plan (attached as Exhibit A). This will provide for a land acquisition element in the Plan and the amendment to the Interlocal Cooperation Agreement between Metropolitan Dade County and the City of Florida City (attached as Exhibit B) to include the delegation of eminent domain power to the City of Florida City to facilitate its land acquisition efforts in the Florida City Community Redevelopment Area. Further, it is recommended that the County Manager be authorized to execute the amended Interlocal Cooperation Agreement.

BACKGROUND

On June 6, 1995, the Board approved the Florida City Community Redevelopment Plan (Resolution No. 795-95). On April 16, 1996, the Board approved the Interlocal Cooperation Agreement between the City of Florida City and Metropolitan Dade County which establishes the terms and conditions for the implementation of the Florida City Community Redevelopment Plan. The Florida City Community Redevelopment Plan that was approved lacked specificity with respect to land to be acquired within the Florida City Community Redevelopment Area. This being so, the Board, out of caution, did not grant the use of eminent domain power to the City of Florida City in the Interlocal Cooperation Agreement. The Agreement instead required the City of Florida City to seek and receive Board approval whenever properties within the Florida City Community Redevelopment Area are to be acquired by the use of eminent domain.

The City of Florida City is requesting approval to an amendment to its initial Plan to include a land acquisition element which indicates the specific parcels of land the City intends to acquire. Now, that the City has identified specific parcels for acquisition in the amended Plan, it is also requesting that the Board delegate the sovereign power of eminent domain to the City of Florida City, and further, to the Florida City Community Redevelopment Agency (CRA) should the City of Florida City desire to do so. Such a delegation by the Board is authorized under Section 163.375, Florida Statutes. The existing Interlocal Cooperation Agreement needs to be amended to incorporate language that grants the City of Florida City eminent domain power to use, if necessary, to acquire the parcels of land indicated in the amended Plan.

The Tax Increment Financing Coordinating Committee has reviewed both requests from the City and recommends approval.

Board of County Commissioners
Honorable Chairperson and Members
Page -2-

Economic Impact Analysis

The proposed amendment to the Florida City Community Redevelopment Plan involves approximately 23 acres of land within the CRA boundaries, primarily located in Subarea 1 in and near Florida City's downtown. With the future development of these properties, consistent with the adopted CRA Plan, it is estimated that the CRA property tax base will increase by \$8 million to \$12 million. It is also projected that approximately 15-20 new businesses will be established creating between 125 and 175 new jobs. Several parcels may be suitable for multi-family residential use and, if developed for that use, will generate between 45-65 new dwelling units. Additional parcels located near U.S. 1 and the Florida Turnpike are also suitable for the development of regional tourism attractors which would bring increased retail sales, and ancillary retail, hotel and service business potential to other properties in Florida City. Honorable Chairperson and Members

Approved _____
Veto _____
Override _____

_____ Mayor

Agenda Item No 4 (H)
7-22-97

ORDINANCE NO. 97-102

ORDINANCE APPROVING AMENDMENT TO FLORIDA CITY COMMUNITY REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT OF FLORIDA CITY COMMUNITY REDEVELOPMENT AREA LYING IN TOWNSHIP 57 SOUTH, RANGE 39 EAST, SECTIONS 19 AND 30 AND TOWNSHIP 57 SOUTH, RANGE 38 EAST, SECTIONS 24 AND 25, DADE COUNTY, FLORIDA, DESCRIBED GENERALLY AS BOUNDED BY REDLAND ROAD ON THE WEST, N.W. 2ND STREET AND LUCY STREET ON THE NORTH, STATE ROAD 821 AND CITY OF FLORIDA CITY MUNICIPAL LIMITS ON THE EAST, AND S.W. 1ST STREET AND FLORIDA CITY MUNICIPAL LIMITS ON THE SOUTH; DELEGATING SOVEREIGN POWER OF EMINENT DOMAIN WITHIN PARAMETERS PURSUANT TO SECTION 163.375 FLORIDA STATUTES (1995) TO FLORIDA CITY AND TO FLORIDA CITY COMMUNITY REDEVELOPMENT AGENCY; APPROVING AND AUTHORIZING COUNTY MANAGER TO EXECUTE AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN COUNTY AND FLORIDA CITY; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of Florida enacted the Community Redevelopment Act of 1969 (the "Act") during its 1969 Legislative Session, which is presently contained in Part III of Chapter 163, Florida Statutes, as amended; and

WHEREAS, the Act confers all redevelopment powers upon counties with home rule charters and authorizes such counties to delegate the exercise of such powers within the boundaries of a municipality to the governing body of such municipality; and

WHEREAS, the Board of County Commissioners of Dade County, Florida (the "Board") adopted Resolution No. R-700-95 on May 18, 1995 ("County Resolution

No. R-700-95") which, among other things, found the City of Florida City (the "City") to be an area devastated from Hurricane Andrew and, determined that it is necessary to redevelop

the City and establish a community redevelopment agency to redevelop such area, and delegated to the City Commission the requisite authority to exercise certain redevelopment powers other than eminent domain conferred upon Dade County, Florida (the "County") within the City in accordance with Part III, Chapter 163, Florida Statutes (1995), so as to enable the City Commission to, among other things, make a finding of necessity with respect to certain parts of the City, establish and designate a community redevelopment agency, delegate certain powers to the redevelopment agency, and develop a redevelopment plan for final approval by this Board; and

WHEREAS, the City Commission adopted Resolution No. 95-02 in which it adopted the findings required by the Act including the designation of a redevelopment area which is described as that certain geographic area within Florida City lying in Township 57 South, Range 39 East, Sections 19 and 30 and Township 57 South, Range 38 East, Sections 24 and 25, Dade County, Florida, described generally as bounded by Redland Road on the West, N.W. 2nd Street and Lucy Street on the North, State Road 821 and City of Florida City Municipal Limits on the East, and S.W. 1st Street and Florida City Municipal Limits on the South (the "Redevelopment Area"); and

WHEREAS, by Resolution No. 95-12, adopted on May 23, 1995, the City Commission approved and accepted the Florida City Community Redevelopment Plan (the "Plan"); and

WHEREAS, at the City's request, on June 6, 1995, the County adopted Resolution No. R-795-95 pursuant to the provisions of Section 163.360, Florida Statutes, (1995), approving the Plan to enable the City to undertake redevelopment of the Redevelopment Area; and

WHEREAS, by Resolution No. 95-13, adopted on May 23, 1995, the City Commission declared the need to establish a community redevelopment agency and declared the members of the City Commission as the members of the community redevelopment agency which shall be named "Florida City Community Redevelopment Agency" and shall commonly be referred to as the "Agency"; and

WHEREAS, the City intends to redevelop certain properties within the redevelopment boundaries and land acquisition by the City may be necessary for said redevelopment; and

WHEREAS, on February 25, 1997, the City Commission approved an amendment to the Plan (the "Amendment") which provided a land acquisition element for the Redevelopment Area when it adopted Resolution No. No. 97-01 (CRA); and

WHEREAS, in order for the City to fully implement the Amendment, it is necessary for this Board to approve and adopt the Amendment in accordance with Part III, Chapter 163, Florida Statutes, (1995); and

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WHEREAS, the Board wishes to conduct a public hearing at the time this Ordinance is considered as required by the Act with respect to the Amendment; and

WHEREAS, the Agency has identified in the Amendment seven parcels of land within the Redevelopment Area ("Parcels") as potential sites that may be acquired by purchase, lease, option, gift, grant, bequest, demise or eminent domain; and

WHEREAS, Section 163.375, Florida Statutes (1995) requires that the County grant specific approval to the City and the Agency, in order to exercise the power of eminent domain in the manner provided in Chapter 73 and 74, Florida Statutes, as amended; and

WHEREAS, it is in the best interests of the citizens of Dade County and serves a public purpose for this Board to assist the City and the Agency by granting eminent domain powers specifically for the Parcels identified in the Amendment and any other sites identified in a subsequent amendment to the Plan as approved by this Board;

WHEREAS, on April 16, 1996, pursuant to Resolution No. 367-96, the Board approved an Interlocal Cooperation Agreement between the City and the County (the "Interlocal Agreement") in accordance with Part III, Chapter 163, Florida Statutes, (1995), which among other things, delineated those areas of responsibility for the redevelopment of the CRA; and

WHEREAS, by delegating powers to acquire real property to the City and the Agency, the County and the City need to amend the Interlocal Agreement to reflect

the reallocation of responsibilities between the County and the City for the redevelopment of the Community Redevelopment Area; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that:

Section 1. The Board finds and determines and does incorporate as part of this Ordinance the preceding recitals.

Section 2. This Board accepts the delivery of the Amendment to the Plan delivered to it by the City Commission of the City of Florida City. This Board hereby finds and determines that the Plan remains unchanged other than for the Amendment and that the Amendment:

- (a) Conforms with the Act;
- (b) Is necessary and in the interest of the public health, safety, morals, and welfare of the residents of the City, and will effectuate the purpose of the Act by revitalizing the Redevelopment Area economically and socially, thereby increasing the tax base, promoting sound growth, improving housing conditions, and eliminating the conditions which the Florida Legislature has found in the Act to constitute a menace which is injurious to the public health, safety, welfare, and morals of the residents;
- (c) Will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rebuilding and redevelopment of the Redevelopment Area by the City and private enterprise; and

(d) Conforms to the Local Government Comprehensive Plan of the City as a whole.

Section 3. This Board, after having conducted a public hearing on the matter for the purpose of giving all interested persons an opportunity to express their views and having made the findings expressed above, approves the Amendment to the Plan in the form attached to this Ordinance as Exhibit "A" in accordance with Part III of Chapter 163, Florida Statutes, as amended. The Plan, as amended by the Amendment (the "Amended Plan"), is designated as the official redevelopment plan for the Redevelopment Area and it is the purpose and intent of the City Commission and Agency that the Amended Plan, as same may be additionally supplemented and amended by the City Commission and Agency and approved by this Board, be implemented in the Redevelopment Area.

Section 4. This Board finds that it is in the best interest of the citizens of Dade County and serves a public purpose to grant specific approval pursuant to Section 163.375, Florida Statutes (1995), specific approval to Florida City and the Agency, the power of eminent domain to acquire fee simple title in one or more of the Parcels identified in the Amended Plan and any other additional sites added to the Amended Plan by amendment after approval by this Board in accordance with Part III, Chapter 163, Florida Statutes (1995).

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Section 5. The Board approves and authorizes the County Manager to execute the First Amendment to the Interlocal Agreement in substantially the form attached to this Ordinance as Exhibit "B" and specifically finds that:

(a) Within the boundaries of the Redevelopment Area, the City Commission of Florida City is granted the power to acquire real property by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise together with any related improvements without seeking any specific approval of such acquisition from this Board provided, that such power of acquisition only applies to the Parcels identified in the Amended Plan and any additional parcels which may be identified in subsequent amendments to the Amended Plan;

(b) Further, the City Commission is granted the authority to delegate said powers to acquire real property to the Florida City Community Redevelopment Agency so long as it exists, pursuant to Section 163.357, Florida Statutes (1995), subject to the same limitations as the City; and

(c) The City Commission and the Agency are granted the power to enter into development agreements with potential developers to redevelop properties within the boundaries of the Redevelopment Area.

Section 6. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 7. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 8. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: JUL 22 1997

Approved by County Attorney as
to form and legal sufficiency:

May
(signature)

Prepared by:

EXHIBIT "A"

First Amendment to the Florida City Community Redevelopment Plan

Florida City Community Redevelopment Plan Amendment

AREAWIDE LAND ACQUISITION PROGRAM

Introduction

The Areawide Land Acquisition Program proposed herein is intended to serve as an amendment to the current Florida City Economic Action Team (FEAT) Community Redevelopment Plan dated May, 1995 and adopted by the Florida City Community Redevelopment Agency (CRA), Florida City Commission and Dade County Board of County Commissioners. Specifically, this Program is proposed to be inserted as (new) subsection B 9. under Section IV. (Areawide FEAT Programs). The proposed amendment is presented below

9. Land Acquisition

This Community Redevelopment Plan includes a number of initiatives to be undertaken over the next ten (10) years in order to facilitate future redevelopment and new projects within the redevelopment area. A number of these initiatives may involve the acquisition of land in the CRA Area. The growth of existing businesses and attraction of new business in many instances requires the availability of suitable land parcels of proper size, served by infrastructure and with appropriate zoning. In addition, the elimination of slum and blighted conditions near potential commercial sites will enhance business conditions and the opportunity for private sector investment in the Community

Redevelopment Area A primary responsibility of the CRA will be to ensure that adequate development parcels are available in a timely manner for future development. In order to alleviate slum and blighted conditions and influences, the CRA and the City of Florida City may authorize the use of voluntary acquisition and/or eminent domain, as necessary. Eminent domain will only be pursued after passage of appropriate resolutions by the City.

Land acquisition activities are proposed later in this Plan in Subareas 1 and 2. No acquisition is anticipated over the current planning horizon in Subarea 3.

Subarea 1

The Community Redevelopment Plan contains two (2) steps proposed in Subarea 1 which will involve possible land acquisition (see Section IV.C.). These are:

- 1.) Development of the "Pioneer Village" in the eastern portion of Subarea 1; and
- 2.) Other commercial land development within Subarea 1.

This Subarea may also be the site of a future Metro-Dade transit station which would greatly enhance the viability of the Pioneer Village, the long-term community growth potential of Florida City, and its connection to central county destinations.

Due to a combination of improper subdivisions, faulty lot layouts, diversity of ownership, outmoded street patterns and site deterioration, subsections IV. C.1 and 2 in this Plan identify the need to potentially acquire up to ten (10) acres of land in Subarea 1 to facilitate the development of the Pioneer Village and other commercial development.

Subarea 2

A number of land tracts in Subarea 2 also exhibit adverse characteristics which make future development extremely difficult including improper subdivisions, faulty lot layouts.

diversity of ownership, outmoded street patterns and site deterioration. For these and other reasons, the CRA Plan, in Section IV D 1., includes land acquisition initiatives for industrial and commercial development in Subarea 2. It also estimates that up to four (4) acres may be acquired by the CRA for this purpose over the next 10 years

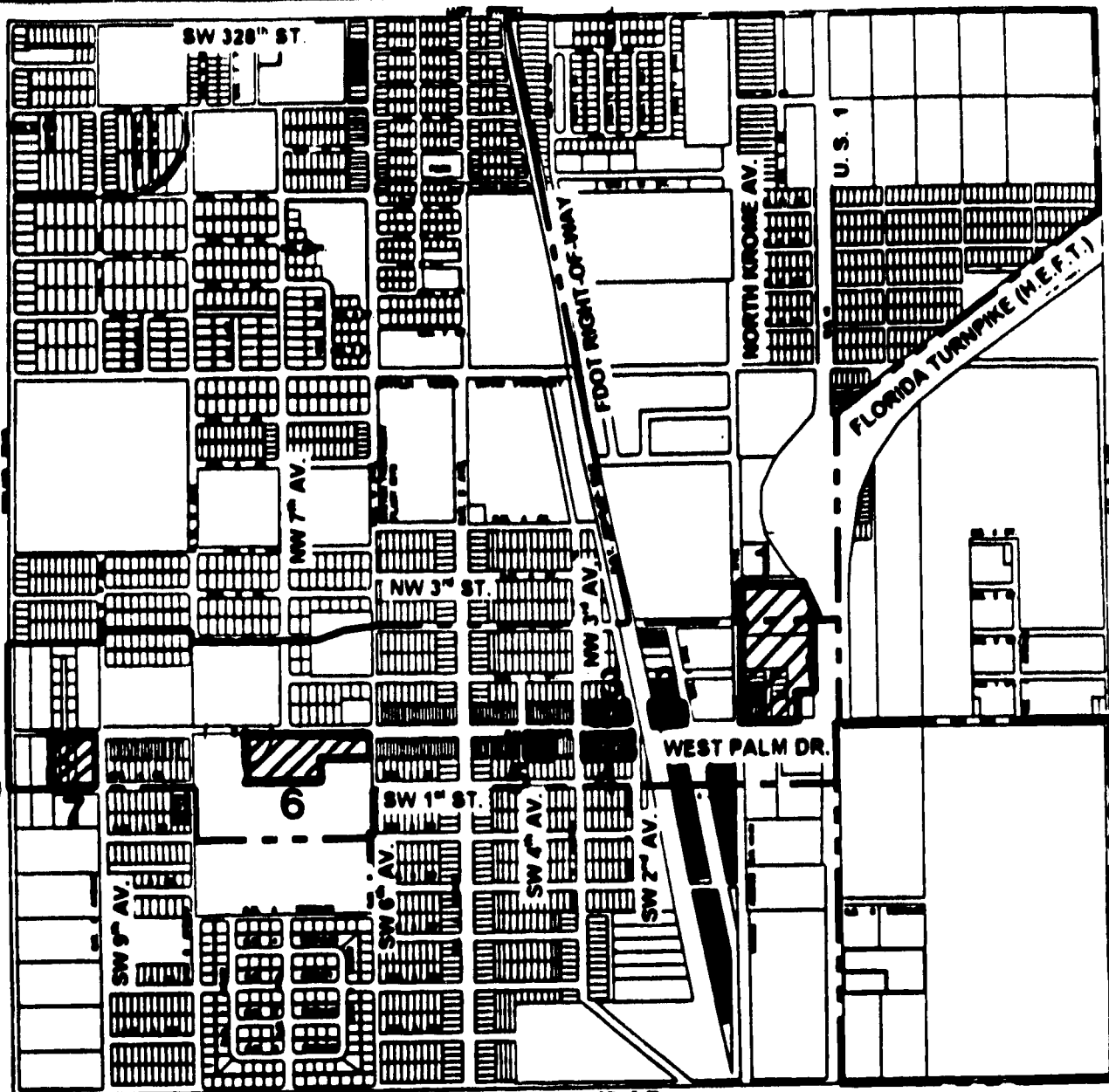
Potential Land Acquisition Sites

Based on detailed analysis of developed and vacant land within the CRA Area, the seven (7) potential land acquisition parcels shown in Figure 4a have been identified. These sites were selected due to the fact that they are predominantly vacant and situated in strategic locations which will help facilitate commercial and other types of growth. Acquisition and subsequent development will deter slum and blighted conditions on these sites as well as act as a positive influence on nearby parcels.

Many of the tracts are burdened with old platting approvals which subdivided "parent" parcels into small and/or narrow lots which are incompatible with modern commercial development needs. In Figure 4a such tracts include the northeast corner of West Palm Drive and North Krome Avenue, as well as, several parcels fronting either side of West Palm Drive between 2nd and 6th Avenues. These old subdivisions also create a diversity of ownership which makes land assembly very difficult. In addition, a number of the potential sites in Figure 4a exhibit extensive site deterioration which has degraded the appearance of, and depressed property values in, the CRA Area, creating significant problems which must be addressed in future redevelopment and new development.


The specific characteristics of each site depicted in Figure 4a are described below.

SITE 1: This large, commercially-zoned site is approximately 10.6 acres in size, and located northeast of the intersection of West Palm Drive and North Krome Avenue. It is vacant but exhibits remnants of prior uses. In particular, overgrown weeds, previous fence lines now in disrepair,



CITY MAP
SCALE



— CRA BOUNDARY
 POTENTIAL SITES

FOU-DA1

CITY OF FLORIDA CITY
CRA

Prepared: 12-2-96
Last Revised: 2-5-97

FIGURE 4a

POTENTIAL LAND ACQUISITION SITES

15

numerous exposed building foundations and about 20 former trailer lot utility poles (out-of-service) protruding above ground are evident. Trash dumping is also a periodic problem on the site. The unsightly nature of the site has specific negative visual impacts on West Palm Drive, Florida City's mainstreet, and North Krome Drive, a major commercial corridor. While much of the site is owned by a single owner, the southwest corner is platted into small lots with a number of separate ownerships which has made modern commercial development very difficult from the standpoint of land assembly and lot size restrictions. The commercial development of this site would eliminate significant slum and blighted conditions, and help provide the key to redevelopment along West Palm Drive in this area, as well as greatly enhance the tax base of the city.

SITE 2: Site 2 is vacant and approximately 0.5 acres in size with commercial zoning. It is located just east of the Florida Dept. of Transportation (FDOT) right-of-way (traverses city north-to-south) on the northside of West Palm Drive and one lot west of North Krome Avenue. The shallow depth of the site precludes most types of commercial development. Trash dumping and excessive litter are periodic problems on the site. It is adjacent to the planned future termination point of the South Dade Busway. The location of Site 2 on the mainstreet entry to Florida City makes it critical that appropriate future development of this site occur in support of area redevelopment.

SITE 3: Site 3 is located immediately west of the FDOT right-of-way and NW 2nd Avenue on the northside of West Palm Drive. It is commercially-zoned and estimated to be 1.25 acres in size. It is mostly vacant with a single commercial building containing a bicycle repair shop in the middle of the block. The building is currently under an unsafe structure classification by the City due to structural problems. The block is platted into very small commercial lots which are unsuitable for modern commercial development. Trash dumping and excessive litter are periodic problems on the site. Site 3 is also adjacent to the planned future termination point of the South Dade Busway. The location of Site 3 on the mainstreet entry to Florida City makes it critical that appropriate future development of this site occur in support of area redevelopment.

SITE 4: This site is located immediately west of SW 2nd Avenue on the southside of West Palm Drive. It is commercially-zoned and estimated to be 1.75 acres in size. It is approximately 50% vacant with single and multi-story

apartments near the corner of Palm and 2nd Avenue, and partially vacant commercial storefronts further west along West Palm Drive. The block is platted into very small commercial lots which are unsuitable for modern commercial development. Like a number of other sites, trash dumping and excessive litter are also periodic problems on the site. The existing commercial and residential uses on the site are all poorly-maintained and unattractive, and thus have a serious negative visual impact on this key mainstreet corridor of the CRA. Appropriate future development of this site should occur over the planning period in support of overall area redevelopment.

SITE 5: This tract is approximately 1.25 acres in size and commercially-zoned. It is located generally across from City Hall at the southeast corner of SW 4th Avenue and West Palm Drive. The eastern half contains a small strip of commercial storefronts which are generally unattractive and give the appearance of disrepair with fading paint, uncoordinated facade configurations and excessive signage. The storefronts contain a U S. Post Office branch. The western half is vacant, and used as an unpaved and unplanned parking area for the adjacent businesses. The block is platted into very small commercial lots which are unsuitable for modern commercial development. The visually-negative commercial strip combined with the rock parking area make this site an unfortunate example of slum and blighted conditions in downtown Florida City. Appropriate future development of this site must occur in support of overall downtown redevelopment in Subarea 1.

SITE 6: This vacant, wooded site is approximately 5.5 acres in size and located on the southside of West Palm Drive and west of SW 6th Avenue. It is also on the northern edge of a native pineland preserve owned jointly by Dade County and the State of Florida. The site is subject to periodic trash dumping activities and excessive littering. Appropriate future development of this site must occur in support of overall mainstreet redevelopment.

SITE 7: This site is located in the southwest quadrant of the intersection of West Palm Drive and SW 9th Avenue. It is approximately 2.5 acres in size, and is currently occupied by the abandoned and boarded-up buildings which comprised the former Tropical Hotel. Although it has significant frontage on West Palm Drive, the actual address of this site is 906 SW 1st Street. The hotel sign is an "eyesore" which still stands on West Palm Drive in dilapidated condition. The property is zoned for commercial use. The

western portion of the site is subject to an old plat containing very small and commercially-unusable lots. The site has been the subject of prior trash dumping and contains large amounts of litter which when combined with other adverse conditions, provide a very negative visual impact on the primary western entryway to Florida City. Appropriate future development of this site must occur in support of overall CRA development in Subarea 1.

Priority for Initial Development

Based market research which included parcel size, regular shape, central location, accessibility, market exposure, infrastructure availability, land use and environmental issues, the first priority for acquisition from among the parcels shown in Figure 4a should be Site 1, the 10.6 acre vacant parcel located in the northeast quadrant of the intersection of North Krome Avenue and West Palm Drive. This large, centrally-located tract is most suitable for the initial commercial development efforts of the CRA due to excellent roadway frontage with high traffic volumes and adjacent availability of infrastructure, among a number of other positive factors.

Cost and Funding

The cost and funding of this program is addressed in subsequent sections of this Plan (see subsections IV. C. 1 and 2, and IV. D.1.). It is estimated in those subsections, that the cost for this land may be between \$1.75 to \$2.50 per square depending on location such as road frontage and other factors.

Implementation Schedule

The acquisition of designated parcels will be phased over a 10-year planning period. Land acquisition will proceed on a case-by-case basis concurrent with public and private development plans, and be utilized to facilitate planned projects consistent with this Community Redevelopment Plan. As tracts or sites are given final approval by the CRA Board for the initiation of land acquisition efforts, the Agency and the City will

pursue appropriate acquisition techniques including, but not limited to, fee simple purchase, easements, and leasing. If fee simple acquisition efforts for any particular tract shown in Figure 4a are unsuccessful in the opinion of the CRA Board and the City of Florida City, they may employ eminent domain powers granted in the Interlocal Cooperation Agreement with Dade County in order to obtain property ownership.

EXHIBIT "B"

First Amendment to the Interlocal Agreement

JO

**FIRST AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT**

**THIS FIRST AMENDMENT TO THE INTERLOCAL COOPERATION
AGREEMENT (the "First Amendment"), made this ____ day of _____
, 1997, by and between Metropolitan Dade County, a political subdivision of the State of
Florida (the "County"), and the City of Florida City, a municipal corporation under the
laws of the State of Florida (the "City").**

WITNESSETH:

**WHEREAS, the County and City entered into an Interlocal Cooperation
Agreement with respect to the powers conferred by the County to the City for the
Florida City Community Redevelopment Area (the "Redevelopment Area"); and**

**WHEREAS, the County and City have agreed to an amendment to the
Florida City Community Redevelopment Plan (the "Plan") which identifies seven parcels
located within the Redevelopment Area for acquisition by the City or the Florida City
Community Redevelopment Agency (the "Agency"); and**

**WHEREAS, in furtherance of the Amendment and any other any future
amendments to the Plan, the County now desires to delegate certain powers of
eminent domain to the City and, further, to acknowledge that those powers may be
exercised by the Agency directly and the County wishes to permit the City or the
Agency to enter into development agreements with private persons.**

**NOW, THEREFORE, the County and the City agree that the Interlocal
Cooperation Agreement is amended as follows:**

I.A.(11)(b) The power to acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise any real property (or personal property for its administrative purposes), together with any improvements thereon; except that the Agency may not exercise any power of eminent domain unless the exercise has been specifically approved by the City Commission; except that acquisition by eminent domain is limited to those parcels located within the Redevelopment Area and specifically identified for acquisition in the Plan, as amended; such power may be exercised directly by the Agency provided that the City Commission continues to exist as the Agency, pursuant to Section 163.357, Florida Statutes (1995);

and

I.A.(11)(g) The power to solicit requests for proposals for redevelopment of parcels of real property contemplated by the Plan to be acquired for redevelopment purposes by the Agency and, as a result of such requests for proposals, to advertise for the disposition of such real property to private persons pursuant to Section 163.380, Florida Statutes (1995) and to enter into a Development

Agreement prior to acquisition of such real property by the Agency;

and

I.A.(21) The power to exercise all or any part or combination of powers herein granted or to elect to have such powers exercised by the Agency, except that the power of eminent domain is limited to those parcels located within the Redevelopment Area and specifically identified for acquisition in the Plan, as amended from time to time. except that the power of eminent domain may not be exercised by the Agency unless the City Commission has specifically approved same. provided that the City Commission continues to exist as the Agency, pursuant to Florida Statutes Section 163.357;

and

IV.A.(1) The City shall prepare, or cause to be prepared, land disposition guidelines and procedures for voluntary purchases in accordance with the Plan. These guidelines shall be reviewed and approved by the Coordinating Committee. The City shall be responsible for all land acquisition and disposition, including eminent domain. The City shall advise the Project Coordinator whenever the City requires the use of eminent domain to

acquire any land. The City shall receive Board approval whenever the City requires the use of eminent domain to acquire any land other than those parcels located within the Redevelopment Area and specifically identified for acquisition in the Plan, as amended.; however, no prior approval of the County shall be required to proceed with other methods of land acquisition or disposition.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed in their names by their duly authorized officers and sealed with their corporate seals, all as of the day and year first above written.

WITNESS our hands and seals on this ____ day of _____, 1997.

CITY OF FLORIDA CITY, a municipal
corporation of the State of Florida

METROPOLITAN DADE COUNTY, a
political subdivision of the State of Florida

By: _____
Otis T. Wallace
Acting City Manager

By: _____
Armando Vidal, P.E.
County Manager

ATTEST:

By: _____
Meighan J. Pier
City Clerk

By: _____
Deputy Clerk

Approved as to form and legal sufficiency:
sufficiency:

Approved as to form and legal

By: _____
City Attorney

By: _____
County Attorney

STATE OF FLORIDA)
DADE COUNTY) SS:
)

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above foregoing is a true and correct

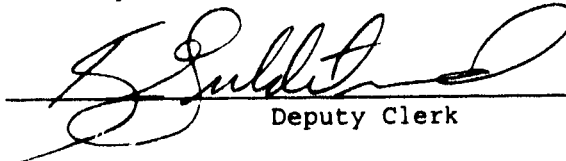
COPY OF ORDINANCE 97-132 PASSED AND ADOPTED BY SAID BOARD OF COUNTY

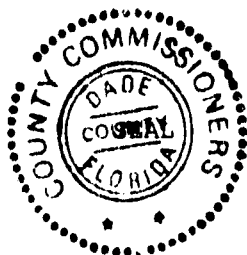
COMMISSIONERS AT ITS MEETING HELD ON JULY 22, 1997 as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on
this 19th day of JULY, 2001.

HARVEY RUVIN, Clerk
Board of County Commissioners
Dade County, Florida

By


Deputy Clerk



Board of County Commissioners
Dade County, Florida

**BCC Meeting: Jan. 23, 2019
Research Notes**

**Item No. 8G4
File No. 182732**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2018-19 FOR THE SOUTH MIAMI COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTH MIAMI COMMUNITY REDEVELOPMENT AREA TOTALING \$3,443,980.00

ISSUE/REQUESTED ACTION

Whether the Board should approve the budget for Fiscal Year 2018-19 for the South Miami Community Redevelopment Agency and the South Miami Community Redevelopment Area totaling \$3,443,980.00.

APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

Part III of Chapter 163 of Florida Statutes defines the meaning of a “blighted area” to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163.html

Resolution No. R-599-15, adopted by the Board on June 30, 2015, allows for designee to be appointed to CRA.

<http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Xavier L. Suarez, District

Department/Requester: Office of Management and Budget

The proposed resolution was considered at the Housing and Social Services Committee meeting of December 10, 2018.

Commissioner Martinez requested that his vote be recorded as a “no” for all Community Redevelopment Agency items.

The proposed resolution was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163.330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

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On June 16, 1998, the Board approved the establishment of the Agency when it adopted the Community Redevelopment Plan and the funding of the Plan when it enacted Ordinance No. 98-80, which established the Agency's Trust Fund. An Interlocal Agreement between Miami-Dade County and the Agency was approved by the Board on September 9, 1999, and later amended through Resolution No. R-327-04.

Through the use of various community redevelopment tools and incentives including land acquisition, affordable housing construction, structural rehabilitation, economic development and capital improvements, the goals of the community redevelopment plan are fulfilled. The life of the Agency was extended by the Board on May 3, 2005. The South Miami CRA is currently scheduled to sunset on June 1st, 2020.

The proposed resolution requests the Board to approve the budget for Fiscal Year 2018-19 for the South Miami Community Redevelopment Agency and the South Miami Community Redevelopment Area totaling \$3,443,980.00.

The Agency's main revenue source is tax increment financing (TIF) and is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. For FY 2018-19, the countywide TIF payment into the Agency's Trust Fund is \$801,802 and the City of South Miami's TIF revenue payment into the Trust Fund is \$738,889.

The South Miami CRA has implemented the following programs:

Affordable Housing Homeowner's Assistance Program

The Agency established the affordable housing homeowner's assistance program. The program is designed to provide much needed "gap" funding assistance to potential homeowners to facilitate purchase of new CRA initiated housing.

Commercial Rehabilitation Program

The Agency established the commercial façade rehabilitation program to improve commercial building conditions in the area. By enhancing existing business conditions further economic development gains will be realized. Businesses along the Commerce Lane and Church Street business districts have most recently enhanced their businesses as a result of the program.

Land Acquisition and Disposition Program

The Agency established the land acquisition and disposition program. As part of the program, blighted properties are purchased by the Agency. Unsafe structures are subsequently demolished and title issues cleansed. Purchased properties are then conveyed to reputable commercial and affordable housing developers to complete.

Parks Improvement Program

The Agency established the CRA area parks improvement program. Through the program numerous capital improvement projects have been completed in both community redevelopment area parks with the most recent investment resulting in the construction commencement of the Murray Park Community Pool.

Residential Rehabilitation

The Agency established the residential rehabilitation program to assist in improving physical conditions of the existing CRA residential housing stock. Programs have been designed to address single-family, multi-family and complex housing needs. During the past three years, approximately thirty homes have been improved through this initiative.

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Small Business Assistance

The Agency established the small business assistance program to assist in increasing the economic development potential in the area. The program is designed to provide assistance for business start-up costs associated with new business development.

Start-up Business & Community Service Program

The Agency approved a comprehensive building rehabilitation process of a formerly “blighted” unsafe structure. Following construction completion, new office space was provided to eligible start-up businesses and not-for-profit community service providers at governmental established rental rates.

ADDITIONAL INFORMATION

The South Miami Community Redevelopment Agency is an established Special District in which future increases in property values are set aside to support economic development related projects within the redevelopment area. The mission of the Redevelopment Agency is to improve documented slum and blighted conditions.

<http://www.southmiamifl.gov/204/Community-Redevelopment-Agency>

BCC Meeting: January 23, 2019
Research Notes

Item No. 8G5
File No. 182666

Researcher: MF Reviewer: TD

RESOLUTION APPROVING THE FISCAL YEAR 2018-2019 BUDGET FOR THE N.W. 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AGENCY AND THE N.W. 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AREA IN THE TOTAL AMOUNT OF \$2,717,124.00

ISSUE/REQUESTED ACTION

Whether the Board should approve the Fiscal Year 2018-2019 budget for the N.W. 7th Avenue Corridor Community Redevelopment Agency and the N.W. 7th Avenue Corridor Community Redevelopment Area in the total amount of \$2,717,124.00.

APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

Part III of Chapter 163 of Florida Statutes defines the meaning of a “blighted area” to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163.html

Resolution No. R-599-15, adopted by the Board on June 30, 2015, allows for designee to be appointed to CRA.

<http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015>

Resolution No. R-293-04, adopted by the Board on March 16, 2004, declared certain geographic area of Miami-Dade County, Florida, known as the 7th Avenue Corridor and described as a portion of Miami-Dade County, Florida, bounded on the East by Interstate 95 (I-95); bounded on the South by the City of Miami; bounded on the West by the Westernmost property lines of all those parcels of land that abut the westerly right-of-way line or NW 7th Avenue from the City of Miami to NW 119th Street; and bounded on the North by the NW 119th Street, to be a slum or blighted area.

<http://intra/gia/matter.asp?matter=041394&file=false&yearFolder=Y2004>

Resolution No. R-780-04, adopted by the Board on June 22, 2004, approved the Community Redevelopment Plan regarding certain geographic area bounded on the East by Interstate 95 (I-95); bounded on the South by the City of Miami; bounded on the West by the Westernmost property lines of all those parcels of land that abut the westerly right-of-way line of NW 7th Avenue from the City of Miami to NW 119th Street; and bounded on the North by NW 119th Street.

<http://intra/gia/matter.asp?matter=041453&file=true&yearFolder=Y2004>

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Resolution No. R-774-04 adopted by the Board on June 22, 2004, appointed the Board of County Commissioners as Community Redevelopment Agency for the 7th Avenue Corridor Community Redevelopment District.

<http://intra/gia/matter.asp?matter=041147&file=true&yearFolder=Y2004>

Ordinance No. 04-124, adopted by the Board on June 22, 2004, pertained to the redevelopment of the 7th Avenue Corridor Community Redevelopment Area generally bounded by 119th Street on the North, City of Miami on the South, Interstate 95 (I-95) on the East and NW 7th Avenue on the West; and established the Redevelopment Trust Fund.

<http://intra/gia/matter.asp?matter=041876&file=false&yearFolder=Y2004>

Resolution No. R-1360-09, adopted by the Board on December 1, 2009, approved the Interlocal Cooperation Agreement between Miami-Dade County and the NW 7th Avenue Corridor Community Redevelopment agency.

<http://intra/gia/matter.asp?matter=092870&file=true&yearFolder=Y2009>

Resolution No. R-223-11, adopted by the Board on April 4, 2011, declared the geographic area of Miami-Dade County, Florida, described generally as bounded on the North by the City of Miami Gardens; bounded on the South by the City of North Miami; bounded on the West by the Westernmost property lines of all those parcels of land that abut the westerly right-of-way line of NW 7th Avenue/State Road 441; and bounded on the East by Interstate 95 (I-95), to be a slum or blighted area; declaring rehabilitation, conservation or development, or a combination thereof, to be necessary in the interest of public health, safety, morals or welfare of residents of Miami-Dade County, Florida; directing the County Mayor to competitively select a consultant to prepare a Community Redevelopment Plan for the NW 7th Avenue Corridor Community Redevelopment Area; approving monies in the County's Unincorporated Municipal Service Area Non-Departmental Allocation for Management Consulting Services Fund be expended for the preparation of the Redevelopment Plan.

<http://intra/gia/matter.asp?matter=102740&file=true&yearFolder=Y2010>

Resolution No. R-661-12, adopted by the Board on September 4, 2012 adopted the amended Community Redevelopment Plan regarding certain geographic area of Miami-Dade County, Florida, known as the NW 7th Avenue Corridor and described as a portion of Miami-Dade County, Florida, generally bounded by the City of Miami Gardens on the North, the City of North Miami on the South, on the Westernmost property lines of the parcels that abut the westerly right-of-way along NW 7th Avenue and on the East by Interstate I-95; and made certain findings with respect to such Redevelopment Plan and such geographic area.

<http://intra/gia/matter.asp?matter=121233&file=true&yearFolder=Y2012>

PROCEDURAL HISTORY

Prime Sponsor: Housing and Social Services Committee

Department/Requester: Office of Management and Budget

The proposed resolution was considered at the Housing and Social Services Committee meeting of December 10, 2018.

Commissioner Martinez requested that his vote be recorded as a "no" for all Community Redevelopment Agency items.

The proposed resolution was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163.330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

On March 16, 2004, the Board adopted Resolution No. 293-04, which declared a certain geographic area of Unincorporated Miami-Dade County known as the 7th Avenue Corridor, bounded on the East by Interstate 95 (I-95); bounded on the South by the City of

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Miami; bounded on the West by the Westernmost property line of all those parcels of land that abut the Westerly right-of-way line of NW 7th Avenue from the City of Miami to NW 119th Street; and bounded on the North by NW 119th Street, to be a slum or blighted area. The Board declared the rehabilitation, conservation or redevelopment, or a combination of each to be necessary in the 7th Avenue Corridor in the interest of the public health, safety, morals or welfare of the residents of the Redevelopment Area and the County, and found the need for the creation of a Community Redevelopment Agency. The Board appointed itself as the Community Redevelopment Agency for the Redevelopment Area.

The County employed a consultant who prepared a preliminary Community Redevelopment Plan (Plan), which was submitted to the Department of Planning and Zoning, sitting as the local planning agency of the County. The local planning agency reviewed the Plan and submitted its written recommendations with respect to its conformity with the Comprehensive Development Plan for the development of the County as a whole. A copy of the Plan was submitted to the Community Redevelopment Agency, and each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the Redevelopment Area.

Resolution No. R-780-04, adopted by the Board on June 22, 2004, approved the Community Redevelopment Plan regarding the N.W. 7th Avenue Corridor.

Pursuant to Resolution No. R-774-04 adopted by the Board on June 22, 2004, the 7th Avenue Corridor Community Redevelopment Agency (Agency) was created, its members were appointed, and it received the power to initiate, prepare and adopt a redevelopment plan, subject to approval by the Board.

Ordinance No. 04-124, adopted by the Board on June 22, 2004, established the Redevelopment Trust Fund to be funded with ad valorem tax increment revenues in order to provide funds to finance or refinance the community redevelopment and to facilitate the implementation of creative tax financing strategies.

Resolution No. R-1360-09, adopted by the Board on December 1, 2009, approved the Interlocal Cooperation Agreement between Miami-Dade County and the NW 7th Avenue Corridor Community Redevelopment agency.

On January 21, 2010, the Board adopted Resolution No. R-1290-09 directing the County Mayor to prepare a Finding of Necessity study for a proposed expansion to the CRA to include a geographical area described generally as bounded on the North by the City of Miami Gardens, bounded on the South by the City of North Miami, bounded on the West by the Westernmost property lines of all those parcels of land that abut the westerly right-of-way line of NW 7th Avenue/State Road 441, and bounded on the East by Interstate 95.

Resolution No. R-223-11, adopted by the Board on April 4, 2011, declared the expanded area to be a slum or blighted area; declared rehabilitation, conservation or development, or a combination thereof, to be necessary in the interest of public health, safety, morals or welfare of residents of Miami-Dade County, Florida; directed the County Mayor to competitively select a consultant to prepare a Community Redevelopment Plan for the NW 7th Avenue Corridor Community Redevelopment Area; approved monies in the County's Unincorporated Municipal Service Area Non-Departmental Allocation for Management Consulting Services Fund be expended for the preparation of the Redevelopment Plan.

Resolution No. R-661-12, adopted by the Board on September 4, 2012 adopted the amended Community Redevelopment Plan regarding certain the expanded area; and made certain findings with respect to such Redevelopment Plan and such geographic area.

On October 10, 2018, the Agency adopted Resolution No. CRA-11-2018, which approved the Agency's FY 2018-19 budget of \$2,717,124 for the Area, located in Commission Districts 2 and 3, which are represented by Commissioners Monestime and Edmonson, respectively.

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The proposed resolution seeks the Board's approval of the Fiscal Year 2018-2019 budget for the N.W. 7th Avenue Corridor Community Redevelopment Agency and the N.W. 7th Avenue Corridor Community Redevelopment Area in the total amount of \$2,717,124.00.

According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing, which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. For FY 2018-19, the countywide TIF payment to the Agency's Trust Fund is \$416,110.00 and the Unincorporated Municipal Service Area (UMSA) TIF payment to the Trust Fund is \$171,931.00.

The CRA's budget line items include:

- \$137,321 – Administrative Expenditures
 - \$ 128,500 – Administrative Expenses
 - \$ 8,821 – County Administrative Charge at 1.5 percent
- \$2,541,800 – Operating Expenses
 - \$ 25,000 – Legal Services
 - \$ 80,000 – Contractual Services
 - \$ 85,000 – Marketing and Outreach
 - \$ 100,000 – Business Innovation and Investment Grant
 - \$ 150,000 – Landscaping/Streetscaping
 - \$ 150,000 – Infrastructure Improvements
 - \$ 200,000 – Commercial Improvement Program
 - \$ 800 – Membership and Fees
 - \$ 50,000 – Other Operating Expenditures
 - \$1,700,000 – Available for Development Opportunities
 - \$ 1,000 – Meeting Room Expenses
- \$38,003 – Reserves

Some of the proposed projects for FY 2018-19 include the following:

- Infrastructure Improvements (\$150,000)
The CRA may undertake improvements in the Area that include streets, sidewalks, water and sewer lines, utility lines, etc.
- Commercial Improvement Program (\$200,000)
The Commercial Improvement Program funds improvements such as façade, lighting, landscaping, correction of code violations, interior improvements, building improvements to include sewer connections.
- Business Innovation and Investment Program (\$100,000)
The Business Innovation Investment Grant Program is designed to support growth and expansion of established businesses in the CRA, as well as encourage outside businesses to locate within the CRA boundaries by assisting with their capital investments.

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A map of the N.W. 7th Avenue Corridor Community Redevelopment Area is depicted below.



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ADDITIONAL INFORMATION

Miami-Dade County Office of Management and Budget N.W. 7th Avenue Corridor Community Redevelopment Area Website

In 2004, the Board adopted a redevelopment plan and created a trust fund for the creation of the NW 7th Avenue Community Redevelopment Agency. The mission of this CRA is to reposition NW 7th Avenue as a major regional employment center; support the growth and expansion of existing businesses in the CRA; support development of new business in the CRA; and redevelop the 7th Avenue corridor, supporting a mix of business, residential and commercial opportunities within the CRA.

<https://www8.miamidade.gov/global/government/boards/northwest-7th-avenue-cra.page>

Florida Redevelopment Association

Founded in 1974, FRA is a not-for-profit organization dedicated to assisting Florida professionals and volunteers in community revitalization efforts. With its mission of “transforming spaces, revitalizing places,” FRA is committed to providing a forum for its more than 300 members to share knowledge and common experiences regarding revitalization opportunities and issues throughout Florida. FRA encourages adoption of legal and financial tools and programs favorable to community growth and serves as a statewide clearinghouse for redevelopment information.

<http://redevelopment.net/>

DEPARTMENTAL INFORMATION

The Office of the Commission Auditor posed the following questions to the Office of Management and Budget, and is awaiting its answers:

- Please provide a list of the major projects completed by the CRA since its establishment. **The NW 7th Avenue CRA is an Unincorporated Municipal Service Area (UMSA) CRA and staff support is provided by the County. Unfortunately the CRA only met a couple of times last year and was unable to meet due to the passing of one of the board members. The CRA has only provided grants for building rehab and small business grants.**
- What are some of the completed and pending projects for FY 2017-18 and the projects for FY 2018-19? **There were no projects completed in FY 2017-18, and the projects for FY 2018-19 include the following:**

Infrastructure Improvements (\$150,000)

The CRA may undertake improvements in the Area that include streets, sidewalks, water and sewer lines, utility lines, etc.

Commercial Improvement Program (\$200,000)

The Commercial Improvement Program funds improvements such as façade, lighting, landscaping, correction of code violations, interior improvements, building improvements to include sewer connections.

Business Innovation and Investment Program (\$100,000)

The Business Innovation Investment Grant Program is designed to support growth and expansion of established businesses in the CRA, as well as encourage outside businesses to locate within the CRA boundaries by assisting with their capital investments.

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Research Notes**

**Item No. 8G6
File No. 182667**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING THE AMENDED BUDGET FOR FISCAL YEAR 2017-18 AND BUDGET FOR FISCAL YEAR 2018-19 FOR THE OMNI COMMUNITY REDEVELOPMENT AGENCY AND OMNI COMMUNITY REDEVELOPMENT AREA TOTALING \$34,262,655.00 AND \$43,907,989.00, RESPECTIVELY

ISSUE/REQUESTED ACTION

Whether the Board should approve the amended budget for Fiscal Year 2017-18 and budget for Fiscal Year 2018-19 for the Omni Community Redevelopment Agency and Omni Community Redevelopment Area totaling \$34,262,655.00 and \$43,907,989.00, respectively.

APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

Part III of Chapter 163 of Florida Statutes defines the meaning of a “blighted area” to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163.html

Resolution No. R-599-15, adopted by the Board on June 30, 2015, allows for designee to be appointed to CRA.

<http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015>

Resolution No. R-825-87, adopted by the Board on July 7, 1987, declared the Omni area generally bounded by North 20th Street on the North, the Florida East Coast Railway right-of-way on the West, I-395 on the South, and Biscayne Bay on the East to be a slum or blighted area; and found a need for rehabilitation, conservation or redevelopment.

(The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Commission Auditor.)

Ordinance No. 87-47, adopted by the Board on July 7, 1987, pertained to the redevelopment of the Omni area bounded by North 20th Street on the North, the Florida East Coast Railroad right-of-way on the West, Interstate I-395 on the South, and Biscayne Bay on the East; provided for delegation of powers to the City of Miami for implementation of the Omni Area Redevelopment Plan; established the Redevelopment Trust Fund; provided for appropriation of funds and calculation of increment for deposit into the Fund; set forth the obligation to appropriate to the Fund and duration of obligation; and provided for review and approval of bond indenture, other financing instruments or ordinances or resolutions authorizing a financing instrument.

(The ordinance is not in Legistar. A copy of the ordinance can be consulted at the Office of the Commission Auditor.)

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Resolution No. R-280-96, adopted on March 19, 1996, approved the amended Interlocal Cooperation Agreement between the County Omni District Redevelopment Agency, and the City of Miami; and authorized the County Manager
<http://intra/gia/matter.asp?matter=960607&file=false&yearFolder=Y1996>

Resolution No. R-1372-07, adopted by the Board on December 18, 2007, approved an Interlocal Agreement among Miami-Dade County, the City of Miami, the Omni Community Redevelopment Agency and Southeast Overtown Park West Community Redevelopment Agency with respect to expansion and extension of term of such Omni and Southeast Overtown Park West Districts in order to fund certain capital projects, including the new Marlins Baseball Stadium, Port Tunnel and Museum Park; approved the First Amendment to the Omni CRA Interlocal Agreement among Miami-Dade County, the City of Miami and Omni Community Redevelopment Agency.
<http://intra/gia/matter.asp?matter=073749&file=true&yearFolder=Y2007>

Resolution No. R-07-10, adopted by the Board on January 21, 2010, approved the Amendment to and Restatement of Redevelopment Plan for the Omni Community Redevelopment Area; and approved the extension of the life of the Omni Community Redevelopment Agency until March 31, 2030.
<http://intra/gia/matter.asp?matter=102216&file=false&yearFolder=Y2010>

Resolution No. R-1128-17, adopted by the Board on November 21, 2017, approved the amended budget for Fiscal Year 2016-2017 for the Omni Community Redevelopment Agency totaling \$26,334,476.00; and authorized the issuance and sale of the Omni Community Redevelopment Agency's Tax Increment Revenue series 2017 notes in one or more series in an aggregate principal amount not to exceed \$25,000,000.00 for purposes of financing and refinancing the acquisition and construction of eligible Community Redevelopment Capital projects in the Redevelopment Area, funding any necessary reserves and paying costs of issuance of such notes.
<http://intra/gia/matter.asp?matter=172469&file=true&yearFolder=Y2017>

Resolution No. R-101-18, adopted by the Board on February 6, 2018, approved the budget for Fiscal Year 2017-18 for the Omni Community Redevelopment Agency totaling \$53,387,872.00.
<http://intra/gia/matter.asp?matter=172929&file=true&yearFolder=Y2017>

PROCEDURAL HISTORY

Prime Sponsor: Housing and Social Services Committee

Department/Requester: Office of Management and Budget

The proposed resolution was considered at the Housing and Social Services Committee meeting of December 10, 2018.

Commissioner Martinez requested that his vote be recorded as a "no" for all Community Redevelopment Agency items.

The proposed resolution was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163.330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

On July 7, 1987, the Board approved the establishment of the Omni Community Redevelopment Area (the Area) when it declared the Area to be slum and blighted pursuant to Resolution No. R-825-87.

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On July 7, 1987, the Board enacted Ordinance No. 87-47, which approved the Omni Community Redevelopment Area Redevelopment Plan (the Plan) and created a funding mechanism for implementing the Plan through the establishment of a Trust Fund. Pursuant to Ordinance No. 87-47, the County, as the governing body, delegated certain powers to the City of Miami, including delegating to the City the power to create the Community Redevelopment Agency for the Omni District (the Agency).

On March 19, 1996, the Board adopted Resolution No. R-280-96, which approved the terms and conditions of an Interlocal Cooperation Agreement (Interlocal Agreement), which was executed on June 24, 1996, between the County, the City of Miami, and the Agency.

The Interlocal Agreement was subsequently amended by the First Amendment to the Interlocal, dated December 31, 2007. On December 18, 2007, the Board adopted Resolution No. R-1372-07, which approved the terms and conditions of an Interlocal Agreement between the City of Miami, the County and the Agency and the Southeast Overtown Park West Community Redevelopment Agency. Pursuant to this Agreement, the City and the Agency agreed to amend the Plan to expand the boundaries of the Area. The City of Miami and the Agency submitted the amended Plan to the County, which was subsequently approved on January 21, 2010 by the Board when it adopted Resolution No. R-07-10. Resolution No. R-07-10 further authorized the extension of the Agency's and Area's life until March 31, 2030. The Interlocal Agreement requires that the Agency transmit its adopted annual budget to the County for the Board's approval.

On November 21, 2017, the Board adopted Resolution No. R-1128-17, which approved the amended budget for Fiscal Year 2016-2017 for the Omni Community Redevelopment Agency totaling \$26,334,476.00; and authorized the issuance and sale of the Omni Community Redevelopment Agency's Tax Increment Revenue series 2017 notes in one or more series in an aggregate principal amount not to exceed \$25,000,000.00 for purposes of financing and refinancing the acquisition and construction of eligible Community Redevelopment Capital projects in the Redevelopment Area, funding any necessary reserves and paying costs of issuance of such notes.

On February 6, 2018, the board adopted Resolution No. R-101-18, which approved the Agency and the Area's budget for Fiscal Year 2017-18 in the amount of \$53,387,872.00. Subsequently, the Agency approved the amended FY 2017-18 budget of \$34,262,655 on April 18, 2018 (CRA-R-18-0022), and the City approved the Agency's amended budget on June 28, 2018 (R-18-0278).

The proposed resolution seeks the Board's approval of the amended budget for Fiscal Year 2017-18 and budget for Fiscal Year 2018-19 for the Omni Community Redevelopment Agency and Omni Community Redevelopment Area totaling \$34,262,655.00 and \$43,907,989.00, respectively.

According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. For FY 2017-18, the Countywide TIF payment into the Agency's Trust Fund was \$6,942,759.00, and the City's TIF payment into the Trust Fund was \$11,048,337.00. For FY 2018-19, the Countywide TIF payment into the Agency's Trust Fund was \$7,330,571.00, and the city's TIF payment into the Trust Fund is \$11,911,340.00.

CRA Budget for FY 2018:

Accounting and Audit	\$15,000
Professional Services	\$650,417
Other Contractual Services	\$475,884
Total Contractual Services	\$1,141,301
Purchase of Real Estate	\$0

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Other Grants and Aids	\$15,926,030
Interfund Transfer	\$1,334,695
	\$17,260,725
Debt Service Payment	\$6,699,867
Other Current Charges and Obligations	\$6,296,884
Administration	\$1,192,285
Budget Reserve	\$579,942
Reserve for Security Deposit	\$1,091,652
	\$1,671,594
Total:	\$34,262,655

CRA Budget for FY 2019:

Accounting and Audit	\$15,000
Professional Services	\$457,800
Other Contractual Services	\$462,660
Total Contractual Services	\$935,460
Purchase of Real Estate	\$0
Other Grants and Aids	\$24,004,312
Interfund Transfer	\$1,726,104
	\$25,730,417
Debt Service Payment	\$7,047,838
Other Current Charges and Obligations	\$6,734,669
Administration	\$1,248,960
Budget Reserve	\$617,442
Reserve for Security Deposit	\$1,593,204
	\$2,210,646
Total:	\$43,907,989

ADDITIONAL INFORMATION:

The Omni Community Redevelopment Agency is funded by tax increment of the properties within its boundaries. All of the CRA funds are supposed to be used for redevelopment and revitalization of the area. The current focus of the CRA is improving the quality of life for residents in the district and creating affordable housing and economic opportunities.

One of the achievements of the Omni CRA was the rehabilitation of Omni Park, a 7-acre public, urban, pop-up park that is equipped with a skate park, café and radio hub. It is also host to live performances, the Boho Market, and other programs. With the help of the CRA, the once blighted and unused land is now a green accessible playground.

<http://omnicra.com/>

BCC Meeting: January 23, 2019
Research Notes

Item No. 8G7
File No. 182668

Researcher: MF Reviewer: TD

RESOLUTION APPROVING THE AMENDED BUDGET FOR FISCAL YEAR 2017-18 AND BUDGET FOR FISCAL YEAR 2018-19 FOR THE SOUTHEAST OVERTOWN PARK WEST COMMUNITY REDEVELOPMENT AGENCY AND THE SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AREA TOTALING \$55,963,379.00 AND \$55,797,553.00, RESPECTIVELY

ISSUE/REQUESTED ACTION

Whether the Board should approve the amended budget for Fiscal Year 2017-18 and budget for Fiscal Year 2018-19 for the Southeast Overtown/Park West Community Redevelopment Agency and the Southeast Overtown/Park West Community Redevelopment Area totaling \$55,963,379.00 and \$55,797,553.00, respectively.

APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

Part III of Chapter 163 of Florida Statutes defines the meaning of a “blighted area” to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163.html

Resolution No. R-599-15, adopted by the Board on June 30, 2015, allows for designee to be appointed to CRA.

<http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015>

Resolution No. R-39-81, adopted by the Board on January 20, 1981, declared the Downtown of the City of Miami to be a slum and or blighted area.

(The resolution is not in Legistar. Please find a copy attached.)

Resolution No. R-1677-82, adopted by the Board on December 7, 1982, approved the deletion of Southeast Overtown/Park West Area from Central Miami Urban Renewal Area and approved the Southeast Overtown/Park West Community Redevelopment Plan.

(The resolution is not in Legistar. Please find a copy attached.)

Ordinance No. 82-115, adopted by the Board on December 21, 1982, pertained to the redevelopment of Southeast Overtown/Park West Community; provided for delegation of powers to the City of Miami pursuant to Interlocal Agreement for implementation of the southeast Overtown/Park West Community Redevelopment Plan; established the Redevelopment Trust Fund; provided for

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appropriation of funds and calculation of increment for deposit into the Fund; set forth the obligation to appropriate to the Fund and the duration of the obligation; provided for review and approval of bond indenture, other financing instruments or ordinances or resolutions authorizing a financing instrument; and provided for review of financial records and right of audit.

(The ordinance is not in Legistar. Please find a copy attached.)

Resolution No. R-516-12, adopted by the Board on June 19, 2012, authorized issuance by the Southeast Overtown/Park West Community Redevelopment Agency of its tax increment revenue bonds, series 2012 in one or more series in an aggregate principal amount of not to exceed \$50,000,000.00 for purposes of financing eligible community redevelopment projects, funding any necessary reserves and paying costs of issuance of such bonds.

<http://intra/gia/matter.asp?matter=121260&file=false&yearFolder=Y2012>

Resolution No. R-480-13, adopted by the Board on June 18, 2013, amended Resolution No. R-516-12 to increase the aggregate principal amount of Southeast Overtown/Park West Community Redevelopment Revenue Bonds to \$60,000,000.00 from \$50,000,000.00 and to amend the description of certain previously approved eligible community redevelopment projects.

<http://intra/gia/matter.asp?matter=131690&file=false&yearFolder=Y2013>

PROCEDURAL HISTORY

Prime Sponsor: Housing and Social Services Committee

Department/Requester: Office of Management and Budget

The proposed resolution was considered at the Housing and Social Services Committee meeting of December 10, 2018.

Commissioner Martinez requested that his vote be recorded as a “no” for all Community Redevelopment Agency items.

The proposed resolution was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163.330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

On January 20, 1981, the Board adopted Resolution No. R-39-81, which declared the Downtown of the City of Miami to be a slum and or blighted area. According to the resolution, the area was generally bounded on the West and South by the FEC railroad, on the East by Biscayne Boulevard and on the North by Northeast 17 Street and the Miami Cemetery.

The City of Miami, acting through its own Community Redevelopment Agency, indicated its wish to undertake a project which would involve the acquisition and redevelopment in accordance with a plan for redevelopment of that portion of Miami known as Southeast Overtown/Park West. The City of Miami requested the County to adopt a resolution delegating to the City certain powers pursuant to an Interlocal Agreement with regard to the area known as Southeast Overtown/Park West.

Resolution No. R-1677-82, adopted by the Board on December 7, 1982 approved the deletion of the Southeast Overtown/Park West Area from Central Miami Urban Renewal Area and approved the Southeast Overtown/Park West Community Redevelopment Plan..

Ordinance No. 82-115, adopted by the Board on December 21, 1982, pertained to the redevelopment of Southeast Overtown/Park West Community. It provided for delegation of powers to the City of Miami pursuant to Interlocal Agreement for implementation of the Southeast Overtown/Park West Community Redevelopment Plan. It also established the Redevelopment Trust Fund.

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In March 31, 1983, the City of Miami and the County entered into an Interlocal Cooperation Agreement, which was amended on November 15, 1990, and was further amended on January 22, 2010. The Agreement provided that the City of Miami was authorized to incur debt subject to the prior approval of such debt and all related documents by the Board, to finance capital projects located within the Redevelopment Area and secured by tax increment revenues.

On July 21, 2009, the Board approved amendments to the Agency's Finding of Necessity and the Plan to expand the area and extend the life of the Agency until March 31, 2030.

Resolution No. R-516-12, adopted by the Board on June 19, 2012, authorized issuance by the Southeast Overtown/Park West Community Redevelopment Agency of its tax increment revenue bonds, series 2012 in one or more series in an aggregate principal amount of not to exceed \$50,000,000.00 for purposes of financing eligible community redevelopment projects, funding any necessary reserves and paying costs of issuance of such bonds.

Resolution No. R-480-13, adopted by the Board on June 18, 2013, amended Resolution No. R-516-12 to increase the aggregate principal amount of Southeast Overtown/Park West Community Redevelopment Revenue Bonds to \$60,000,000.00 from \$50,000,000.00 and to amend the description of certain previously approved eligible community redevelopment projects.

The proposed resolution seeks the Board's approval of the amended budget for Fiscal Year 2017-18 and budget for Fiscal Year 2018-19 for the Southeast Overtown/Park West Community Redevelopment Agency and the Southeast Overtown/Park West Community Redevelopment area totaling \$55,963,379.00 and \$55,797,553.00, respectively.

According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. For FY 2017-18, the Countywide TIF payment into the Agency's Trust Fund was \$7,181,272.00 and the City's TIF payment was \$11,430,798.00. For FY 2018-19, the Countywide TIF payment into the Agency's Trust Fund is \$7,201,021.00 and the City's TIF payment into the Trust Fund is \$11,699,736.00.

CRA Budget for FY 2018:

Accounting and Audit	\$457,865
Professional Services (legal)	\$6,850
Professional Services (other)	\$1,798,645
Other Contractual Services	\$550,605
Total Contractual Services	\$2,815,966
Construction in Progress	\$310,157
Other Grants and Aids	\$34,225,943
Interfund Transfer	\$10,796,129
	\$45,022,072
Debt Service Payment	\$4,521,875
Land	\$292,984
Administration	\$2,270,556
Budget Reserve	\$731,768
Total:	\$55,963,379

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Research Notes

CRA Budget for FY 2019:

Accounting and Audit	\$499,529
Professional Services (legal)	\$31,000
Professional Services (other)	\$2,093,085
Other Contractual Services	\$927,415
Total Contractual Services	\$3,551,030
Construction in Progress	\$306,077
Other Grants and Aids	\$31,898,210
Interfund Transfer	\$12,126,045
	\$44,024,255
Debt Service Payment	\$4,518,625
Land	\$292,984
Administration	\$2,270,556
Budget Reserve	\$834,025
Total:	\$55,797,553

A map of the Southeast Overtown/Park West Community Redevelopment Area is depicted below.



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Some of the funds spent in 2018 include the following:

- Renovation and rehabilitation of the Overtown Shopping Center, 1490 NW 3rd Ave - \$1,546,618
- Repairs to Black Police Precinct - \$116,564
- Housing rehabilitation agreements for the associations of Town Park Village, Town Park South and Town Park North - 49,309,793
- Rehabilitation of Poinciana Village Residential Development - \$460,031
- Grant to Suited for Success, Inc. for training and professional attire to job seekers - \$50,287
- Grant to Neighbors and Neighbors Association Inc. to underwrite costs associated with the continued operation of the Business incubator and Development Program - \$112,022

ADDITIONAL INFORMATION

Miami-Dade County Office of Management and Budget Southeast Overtown/Park West Community Redevelopment Area Website

Pursuant to the community Redevelopment Act of 1969, the CRA was created in 1982 to undertake activities and projects that would eradicate conditions of slum and blight. The main objective of the CRA is to spearhead new development and redevelopment efforts that accomplish beneficial revitalization within its boundaries. The CRA's mission is to enhance the quality of life of residents within the Redevelopment Area by expanding the tax base, creating job opportunities, promoting dynamic economic growth and fostering neighborhoods.

<http://www.miamicra.com/seopwcra/pages/aboutcra.html>

Florida Redevelopment Association

Founded in 1974, FRA is a not-for-profit organization dedicated to assisting Florida professionals and volunteers in community revitalization efforts. With its mission of "transforming spaces, revitalizing places," FRA is committed to providing a forum for its more than 300 members to share knowledge and common experiences regarding revitalization opportunities and issues throughout Florida. FRA encourages adoption of legal and financial tools and programs favorable to community growth and serves as a statewide clearinghouse for redevelopment information.

<http://redevelopment.net/>

Agenda Item No. 5(b)(4)
1-20-81

RESOLUTION NO. R-39-81

RESOLUTION DECLARING THE DOWNTOWN OF THE CITY
OF MIAMI TO BE A SLUM AND/OR BLIGHTED AREA

WHEREAS, Dade County and the City of Miami wish to plan a community redevelopment project for a community redevelopment area that would expand the Central Miami Urban Renewal area to include an area of downtown generally bounded on the west and south by the FEC railroad, on the east by Biscayne Boulevard and on the north by Northeast 17 Street and the Miami Cemetery, and whose specific boundaries are included in Exhibit "A" attached hereto; and

WHEREAS, the Community Redevelopment Act of 1969, as amended, requires in Chapter 163.360 that "a community redevelopment area shall not be planned or initiated unless the governing body has, by resolution, determined such area to be a slum area, or a blighted area, or a combination thereof, and designated such area as appropriate for a community redevelopment project"; and

WHEREAS, there has been presented to this Board evidence that the above proposed area contains sufficient slum or blighted conditions that would warrant the preparation of a community redevelopment plan for the area,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. That this Board finds and determines that sufficient blight exists, distributed throughout the area, that would justify the preparation of a community redevelopment plan designated to attack and cure the specific ills that are hereby found to exist.

Section 2. That this Board determines that the area described above is a slum and/or blighted area within the meaning of the Community Redevelopment Act of 1969, as amended, and is appropriate for a community redevelopment project.

Section 3. That this Board authorizes Dade County and the City of Miami to prepare an amendment to the Central Miami Renewal Plan to include the area described above.

Section 4. That this Board declares that any community redevelopment plan brought to it for approval must include a financial analysis which will describe in detail the impact which the creation of any redevelopment trust fund and the appropriation of the tax increments from the community redevelopment area will have on the City's and County's ad valorem tax collections that would normally be available for general governmental purposes.

The foregoing resolution was offered by Commissioner Ruth Shack, who moved its adoption. The motion was seconded by Commissioner Clara Oesterle and upon being put to a vote, the vote was as follows:

Barbara M. Carey	Absent
Clara Oesterle	Aye
William G. Oliver	Aye
Beverly B. Phillips	Aye
James F. Redford, Jr.	Aye
Harvey Ruvin	Absent
Barry D. Schreiber	Absent
Ruth Shack	Aye
Stephen P. Clark	Aye

The Mayor thereupon declared the resolution duly passed and adopted this 20th day of January, 1981.

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

RICHARD P. BRINKER, CLERK

By: **RAYMOND REED**
Deputy Clerk.



Approved by County Attorney as
to form and legal sufficiency. *[Signature]*

URBAN RENEAL PLAN CENTRAL MIAMI

DOWNTOWN OVERTOWN COMMUNITY REDEVELOPMENT AMENDMENT

Also:

Including the area indicated below:

POINT OF BEGINNING, the intersection with the South right-of-way line of N.W. 18 Street extended and West right-of-way line of the FEC Railroad; thence proceed southwesterly along the west right-of-way line of the FEC Railroad to a point of intersection with the north right-of-way line of N.W. 14 Street; thence south along the west right-of-way line of the FEC Railroad to a point of intersection with the north right-of-way line of N.W. 8 Street; thence east for a distance of approximately 100 feet to the east right-of-way line of the FEC Railroad; thence southeasterly along the east right-of-way line of the FEC Railroad to a point of intersection with the centerline of North Miami Avenue; thence east along the north right-of-way line of the FEC Railroad to a point of intersection with the east right-of-way line of N.E. 2 Avenue; thence proceed south along the east right-of-way line of N.E. 2 Avenue to a point of intersection with the south right-of-way line of N.E. 5 Street; thence proceed east along the south right-of-way line of N.E. 5 Street to a point of intersection with the east right-of-way line of Biscayne Boulevard; thence proceed northerly along the east right-of-way line of Biscayne Boulevard to a point of intersection with the north right-of-way line of N.E. 17 Terrace; thence proceed west along the north right-of-way line of N.E. 17 Terrace to a point of intersection with the east right-of-way line of N.E. 2 Avenue; thence proceed north along the east right-of-way line of N.E. 2 Avenue for approximately 210 feet to a point of intersection with the south right-of-way line of N.W. 18 Street extended; thence proceed west along the south right-of-way line of N.W. 18 Street extended to the POINT-OF-BEGINNING.

MEMORANDUM

Agenda Item No. 5(b)4

TO Honorable Mayor and Members
Board of County Commissioners

DATE January 20, 1981

SUBJECT Downtown/Overtown Area

FROM M. J. [Signature]
County ManagerRECOMMENDATION:

It is recommended that a portion of Downtown Miami be designated as a slum and/or blighted area in order that this area can be added to the existing Central Miami Urban Renewal Area through the amendment process.

DISCUSSION:

In 1969 the Board of County Commissioners approved by Resolution #R-1179-69 the Central Miami Renewal Plan. This area is generally bounded by Northwest 29 Street on the North, by the FEC Railroad on the East with an extension to Northeast 2nd Avenue including the New World Center Campus, on the West by Expressway I-95, and on the South by the Miami River.

The Overtown area of the Central Miami Urban Renewal Area contains perhaps the worst concentration of slum and blight in all of Dade County. Several amendments since 1969 have been approved by this Board authorizing modifications to the original plan.

Since planning is an evolutionary process, it would be desirable to expand the boundaries of this Renewal Plan to include:

- 1) The Park West area generally bounded on the west and south by the FEC tracks, on the east by Biscayne Boulevard, and on the north by I-395.
- 2) The area north of Park West bounded on the south by I-395, on the east by Biscayne Boulevard, on the north by N.W. 17th Street in part and the City of Miami Cemetery in part, and on the west by the FEC tracks.

Several activities have already taken place that indicate major changes will occur in this area. The most significant was the planning process for a new-town in-town known as Park West, which was undertaken jointly by the Downtown Development Authority and the City of Miami. The consulting firm of Wallace, Roberts and Todd was hired to study the Park West Area and determined that it is both feasible and desirable to undertake this activity.

Honorable Mayor and Members
Board of County Commissioners

In order to determine the extent of blighting conditions in the area proposed to be added to the existing renewal area, DCHUD and the City of Miami Planning Department jointly undertook a building by building structural condition analysis of the area described above. Information from the Park West area was provided by the consultants.

The results indicate that:

- 1) In Park West, "75% of the structures have some structural deficiencies; and "15% of the structures have major deficiencies". When such factors as economic conditions, site influences and other blighting influences are added, it can be concluded that based on existing conditions, Park West could qualify as a redevelopment area.
- 2) 32% of the structures in the area north of Park West are slum, deteriorated, or deteriorating. In addition, factors such as inadequate street layouts, unsanitary and unsafe conditions, faulty lot layouts, and incompatible land uses and relationships contribute to the blighting conditions existing in the area.

The City requested a declaration of slum and blight for two other locations, namely the areas east of Biscayne Boulevard and north of I-395 (The Omni Complex) and the Downtown area south and east of the existing Central Miami Urban Renewal Area. Based on survey data these portions of Downtown do not, in the County's judgement, contain sufficient blight.

It should be noted that the City of Miami recommended that the expanded area include the FEC property located east of Biscayne Boulevard and north of Bicentennial Park. However, the HUD Advisory Board recommends that the FEC property not be included within the Central Miami Urban Renewal Area. The Board made this recommendation in light of the current controversy concerning the use of the FEC property.

The Miami City Commission has approved this amendment in concept on June 20, 1980, Resolution No. 80-452 and has also on previous occasions approved the concept plans for Park West and the Overtown Community.

Honorable Mayor and Members
Board of County Commissioners

The declaration of the additional area as slum and/or blighted will permit the City and the County to prepare a comprehensive renewal plan for the entire area, and develop a tax increment plan to help finance the renewal plan. The ultimate adoption of a redevelopment plan and the establishment of the required redevelopment trust fund will enable tax increment financing to be used to carry out activities identified in the approved plan.

If you approve this resolution today, you are not approving a redevelopment plan or the use of tax increment financing. The City and the County will prepare a specific redevelopment plan, outlining activities to be undertaken and any proposed use of tax increment financing. This plan would require your approval before it could be implemented and tax increment fund committed for the plan. Any tax increment proposal must recognize the importance of the CBD to the overall financial needs of both the County and the City.

The HUD Advisory Board approved this proposal at its December 17, 1980 meeting.

Attachment

RESOLUTION NO. R-1677-82

RESOLUTION APPROVING DELETION OF SOUTHEAST
OVERTOWN/PARK WEST AREA FROM CENTRAL MIAMI
URBAN RENEWAL AREA AND APPROVING SOUTHEAST
OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT
PLAN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference: and

WHEREAS, the Community Redevelopment Act of 1969, as amended, requires in Chapter 163.360 that "a community redevelopment area shall not be planned or initiated unless the governing body has, by resolution, determined such area to be a slum area, or a blighted area, or a combination thereof, and designated such area as appropriate for a community redevelopment project"; and

WHEREAS, the Southeast Overtown/Park West Community Redevelopment Area was found to be an area of slum and blight by Resolutions No. 1179-69 and No. R-39-81 and qualifies as eligible under Section 30A-1(f) and (g), Code of Metropolitan Dade County; and

WHEREAS, the Southeast Overtown/Park West Plan has been approved by the Miami City Commission, the HUD Board, the Planning Advisory Board, the Overtown Advisory Board and the Overtown/Park West Community Redevelopment Ad Hoc Committee; and

WHEREAS, the area known as Southeast Overtown/Park West and included in the Central Miami Urban Renewal Plan must be deleted from the Central Miami Urban Renewal Plan in order to be established as a separate community redevelopment area for tax increment financing purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Honorable Mayor and Members
Board of County Commissioners

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4. The City does not plan to impose a building moratorium on this area. Rather, a property owner will be permitted to build or remodel as long as the work meets City codes and ordinances.
5. The City has requested that increased tax monies from both general funds, both debt service funds and the library fund be included in the tax increment fund. We recommend that only the two general funds be included, which is the precedent set in Miami Beach. The City staff advised that even with this change in its recommendation, the project will still be feasible; it will just take longer to carry it out.

We propose to incorporate these conditions in an inter-local agreement which will have to be approved by both commissions.

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Section 1. This Board finds, determines and declares that the matters set out in the attached memorandum and plan are true and correct and they are hereby incorporated as a portion of this resolution.

Section 2. That it is hereby found and determined that a feasible method exists for the location of families who will be displaced from the community redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.

Section 3. That it is hereby found and determined that the community redevelopment plan conforms to the general plan of the county as a whole.

Section 4. That it is hereby found and determined that the community redevelopment plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.

Section 5. That it is hereby found and determined that the community redevelopment plan will afford maximum opportunity, consistent with the sound needs of the county as a whole, for the rehabilitation or redevelopment of the community redevelopment area by private enterprise.

Section 6. That it is hereby found and determined that the acquisition of real property in the said community redevelopment area is necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration.

Section 7. That this Board approves the deletion from the Central Miami Urban Renewal Area of Southeast Overtown/Park West as delineated in Exhibit "B" and which is generally described as bounded by N.E./N.W. 5 Street on the south, I-95 on the west, I-395 on the north, and Biscayne Boulevard on the east.

Section 8. That this Board hereby approves the Southeast Overtown/Park West Plan, a copy of which is attached, that was prepared by the City of Miami establishing this area as a separate community redevelopment area for tax increment financing purposes.

The foregoing resolution was offered by Commissioner

Barbara M. Carey, who moved its adoption. The motion was seconded by Commissioner Clara Oesterle, and upon being put to a vote, the vote was as follows:

Barbara M. Carey	Aye
Clara Oesterle	Aye
Beverly B. Phillips	Aye
James F. Redford, Jr.	Aye
Harvey Ruvin	Aye
Barry D. Schreiber	Absent
Ruth Shack	Aye
Jorge E. Valdes	Absent
Stephen P. Clark	Aye

The Mayor thereupon declared the resolution duly passed and adopted this 7th day of December, 1982.

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

RICHARD P. BRINKER, CLERK

Approved by County Attorney as to form and legal sufficiency. *add.*

By: **RAYMOND REED**
Deputy Clerk



MEMORANDUM

Agenda Item No. 2 (q)

17.07.11A

TO Honorable Mayor and Members
Board of County Commissioners

DATE

December 7, 1982

SUBJECT

Public Hearing Amendment to
Central Miami Urban Renewal
Plan-Deleting Southeast
Overtown/Park West Area and
Approving Plan for Said Area
as a Community Redevelopment
AreaFROM M. R. Starnheim
County ManagerRECOMMENDATION:

Subject to the conditions of approval stated below, it is recommended that an amendment to the Central Miami Urban Renewal Plan be approved as required by Chapter 163, Part III of the Florida Statute known as the Community Redevelopment Act of 1969, as amended, in order to delete the area known as Southeast Overtown/Park West and that the Southeast Overtown/Park West Community Redevelopment Plan prepared by the City of Miami be approved in order to establish this area as a separate community redevelopment area for tax increment financing purposes.

SUMMARY OF THE PLAN:

The Southeast Overtown/Park West Redevelopment Plan consists of three separate, related areas. One is Park West itself, which is generally bounded by Biscayne Boulevard, the Dolphin Expressway, FEC R-O-W and N.E./N.W. 5th Street. The second area is known as the Overtown Transit Station Area which is bounded by N.W. 6th Street, FEC R-O-W, N.W. 8th Street and I-95. The third area is known as the Southeast Overtown Redevelopment and Rehabilitation Demonstration Area and is bounded by I-395, the FEC R-O-W, N.W. 8 Street and I-95.

Park West

The Park West area has been the subject of lengthy planning and redevelopment studies undertaken by the City of Miami and the Downtown Development Authority, together with their planning consultant WMRT in collaboration with America City Corporation. The proposed plan for this area, resulting from these studies, calls for construction of the following between 1985 and 1991:

Waterfront Condominiums	600 units
Duplex Condominiums	560 units
Condominium Apartments	1,260 units
Rental Apartments	610 units*
Waterfront Office	400,000 sq. ft.
Waterfront Retail	100,000 sq. ft.
Specialty Retail	200,000 sq. ft.

*of these 120 units are specifically identified for low/moderate income families.

Honorable Mayor and Members
Board of County Commissioners

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In order to accomplish this development program, over \$56 million in public funds would be spent to acquire property, relocate families and businesses, demolish buildings, prepare the sites for disposition and construct parking garages. Over 350 dwellings and rooming units, occupied by at least 120 permanent residents, would be demolished. In addition, 67 active businesses providing between 1,500 and 1,600 jobs would be displaced.

The public investment in Park West would be met by selling revenue bonds that would be paid off by the tax increments generated by the new developments.

Overtown Transit Station Redevelopment Area

The nature of the Plan for this area is described in a separate memorandum entitled, "Public Hearing-Amendment to Central Miami Urban Renewal Plan, and Authorization to Approve UMTA Grant Area".

Southeast Overtown Redevelopment and Rehabilitation Demonstration Area

Since the Plan was submitted to the County last year, two important improvements have been made for the area bounded on the north by I-395, the east by the FEC Railroad right-of-way, the south by N.W. 8 St., and the west by I-95.

1. In the Overtown section between N.W. 8 Street and N.W. 11 Street, the emphasis has been changed from rehabilitation to acquisition and clearance for redevelopment. This is a definite improvement and was suggested by the Overtown community.
2. The City has added to the Plan the area in Overtown between N.W. 11 Street and N.W. 14 Street. The Plan identifies no specific redevelopment and rehabilitation activities in this area, stating that the extent of such activities will depend on the availability of tax increment monies and City community development funds.

A total of 600 units of new housing is planned. Of these, 200 condominium units are planned for the already acquired block immediately north of the Overtown transit station. Another 200 units will be scattered between N.W. 8 St. and N.W. 11 St.

Honorable Mayor and Members
Board of County Commissioners

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If needed, an additional 208 units will be developed as last resort relocation housing throughout the larger Central Miami Urban Renewal area on existing HUD owned land. There would also be some new commercial infill development in addition to the residential and commercial rehabilitation.

The estimated public cost of both of these demonstration projects is \$32. million. The UMTA grant and tax increment financing will be utilized as funding for these activities.

The City has not obtained any updated marketability studies for the area. In today's economy the market is thin, but this is a plan that will take perhaps 10 years to carry out, and market conditions will improve during this period. Because this Plan is to be financed with tax increment monies, no activities can be carried out unless a developer comes forward. Also, unlike Miami Beach, developers will be selected for various parcels, rather than a master developer for the entire project. In our judgement, it is reasonable to expect that the Plan will be carried out.

DISCUSSION:

The Central Miami Urban Renewal Plan was prepared as part of the Neighborhood Development Program (NDP). It was presented to the Board of County Commissioners and approved by Resolution No. 1179-69.

It has been amended a number of times and on January 20, 1981 by Resolution No. R-39-81 the boundaries were expanded to include the Park West area. This resolution included all necessary findings to qualify as a redevelopment area in conformance with Florida Statutes Chapter 163, Part III and County Code Chapter 30-A.

In order to qualify for tax increment financing, the entire Southeast Overtown/Park West area must be deleted from Central Miami. The attached map, Exhibit "B" illustrates this recommendation.

The City of Miami along with the Downtown Development Authority prepared the Southeast Overtown/Park West Community Redevelopment Plan. This plan, a copy of which is attached as Exhibit "A", is generally consistent with the Central Miami Urban Renewal Plan. When approved, this document will serve as the guideline for redevelopment of Southeast Overtown/Park West.

Honorable Mayor Jim Houston
Board of County Commissioners

4-11-1980

By separate memo, we are submitting the tax increment finance ordinance for Southeast Overtown/Park West to you for approval.

The Southeast Overtown/Park West Plan has been approved by the Miami City Commission, the HUD Board, the Planning Advisory Board, the Overtown Advisory Board and the Overtown/Park West Community Redevelopment Ad Hoc Committee.

The Health and Human Services Committee and the Finance Committee recommend approval of the Plan subject to the following condition of approval.

CONDITIONS OF APPROVAL:

1. The City has requested the complete delegation of redevelopment powers, as was done for the Miami Beach project. Rather, we recommend the following, a more limited delegation:
 - a. Land disposition, citizen participation, and project monitoring identical to that being proposed for the Overtown urban initiatives area.
 - b. Business relocation because of the City's desire to relocate businesses within Miami.
 - c. The design and construction of the public improvements necessary to support the redevelopment. These activities will have to comply with the County's race conscious ordinance.
 - d. The development of project financing plans and the sale of any bonds. In hiring bond counsel and financial advisors, the City will have to comply with the County's policy on the employment of blacks.
2. Redevelopment activities in that part of Overtown between N.W. 6 Street and N.W. 11 Street must move ahead in concert with those in Park West.
3. The City is prepared to make a moral commitment of community development funds to permit the revitalization of that part of Overtown between N.W. 11 Street and N.W. 14 Street.

MEMORANDUM

107.07-17A

TO Raymond Reed
Clerk of the Board
of County Commissioners

FROM *Dennis I. Carter*
Dennis I. Carter
Assistant County Manager

DATE December 14, 1982

SUBJECT Planning Advisory Board
Resolution on the
Southeast Overtown/Parkwest
Redevelopment Plan

This memorandum is to transmit the report of October 21, 1982, from Mr. Reginald Walters, Director of the Planning Department to the Chairperson and Members of the Planning Advisory Board along with the PAB's resolution of October 28, 1982, concerning the above referenced subject.

This material should be included as part of your records of Agenda Item No. 2(q) passed and adopted by the County Commission on December 7, 1982.

Attachment

cc: Reg Walters

DADE COUNTY PLANNING ADVISORY BOARD RESOLUTION
REGARDING SOUTHEAST OVERTOWN/PARKWEST REDEVELOPMENT PLAN

At its regular meeting of October 28, 1982 the Planning Advisory Board approved the following resolution:

The Planning Advisory Board finds that the Southeast Overtown/ Parkwest Redevelopment Plan, dated June 1982, conforms to the Comprehensive Development Master Plan but has not attempted to determine that the Plan addressed the citizen's concerns expressed at the Board of County Commission public hearing on the previously proposed plan.

The vote was as follows:

Juan Alvarez	- Aye	Burl McCormick	- Absent
Robert Ballard	- Aye	Doretha Nicholson	- Aye
Stephen Davis	- Aye	Ernest Sidney	- Aye
William Dorsky	- Absent	Georgia Wright	- Aye
Lester Goldstein	- Aye		

TO Chairperson and Members
Planning Advisory Board

FROM Reginald R. Walters, Director
Planning Department

DATE October 21, 1982

SUBJECT Compatibility of Southeast
Overtown/Park West Redevelopment
Plan with Comprehensive Develop-
ment Master PlanRecommendation

Dade County Planning Advisory Board should ratify its previous recommendation to the Board of Commissioners that the revised (July, 1982) Southeast Overtown/Park West Redevelopment Plan conforms to the Dade County Comprehensive Development Master Plan, and should recommend to the Board of County Commissioners that the related Urban Initiatives Plan also conforms to the Dade County Comprehensive Plan.

Analysis

The Code of Metropolitan Dade County (Chapter 30A-9B) provides that the Planning Advisory Board shall review and recommend to the Board of County Commissioners as to conformity of proposed urban renewal plans to the County's Comprehensive Development Master Plan. Pursuant to this requirement the Planning Advisory Board on November 19, 1981 reviewed a proposed development plan for Southeast Overtown/Park West prepared by the City of Miami and after considerable discussion passed a resolution stating that the Plan is consistent with the CDMP land use component but did not have sufficient time or information to determine if it fully complied with all of the specific goals and guidelines. The City of Miami representatives indicated they would give the PAB a later opportunity to review the details of the plan.

Subsequently, in response to concerns about financing and other non-CDMP related aspects of the Plan raised by the Board of County Commissioners, the City of Miami revised the proposed redevelopment plan. The major changes to the original Southeast Overtown/Parkwest Plan are three: fifty percent more redevelopment is called for in the area of Southeast Overtown south of 11 Street, additional relocation housing will be provided within the redevelopment area, and the public redevelopment resources have been more evenly divided between the Southeast Overtown and Park West portions of the redevelopment area. These changes do not substantively change the relationship of the plan to the Comprehensive Development Master Plan. In the meanwhile, a four block sub-area within the Southeast Overtown area was designated as an Urban Initiative Grant for which a detailed acquisition plan compatible with the proposed revised Southeast Overtown Park West Plan has been prepared.

The PAB and Board of County Commissioners are being asked to act on two plan components of one redevelopment area; an acquisition plan for four blocks in the Southeast Overtown that constitutes an amendment to the existing Central Miami Redevelopment Plan and the Southeast Overtown/Park West Redevelopment Plan that will be adopted as a redevelopment area separate from the Central Miami Redevelopment Area. These two redevelopment

plan components are compatible with each other. However, the schedule for the redevelopment activities requires that each of the two components be acted on separately by the Boards.

Staff has reviewed the revised document entitled Southeast Overtown/Park West Community Redevelopment Plan, July, 1982, and the Southeast Overtown Urban Initiative report entitled Overtown Station Area Redevelopment Final Environmental Impact Statement, March 1982, and have reached the following conclusions.

Compliance with the Comprehensive Development Master Plan - The proposed redevelopment plans conform to the several components of the County's Comprehensive Development Master Plan. The redevelopment of the slum and blighted areas encompassed by the two plans conforms with the CDMP goals, objectives and policies (CDMP pages 7 through 15). The plans implement Development Pattern goal of providing adequate housing for all segments of the community and the Economic and Social Needs goal of developing and maintaining suitable living environments and viable neighborhoods throughout the County. Also, the proposed use of tax increment financing for the redevelopment project implements the Governmental goal of providing more effective tools for implementing redevelopment plans.

More specifically, the redevelopment plans are compatible with the following policies:

Development Pattern

- Land in the vicinity of future mass transit stations should be planned in a compatible manner and should support the transit system. (B1)
- Use transportation projects as a constructive tool in the rebuilding of obsolete suburban parts of the urban environment. (F2)
- Improve deteriorating neighborhoods by improving public facilities and services. (F3)
- New communities should be used as a tool for shaping urban growth. (G1)

Transportation

- Transit facilities and services should support the shaping of development/redevelopment and intensification of such areas as Central Business District. (2)

Government Regulation and Administration

- Investigate the feasibility of various financing alternatives for redevelopment of blighted areas. (D3)

- Plans for the development or redevelopment of municipalities should be consistent with the policies of the County's Comprehensive Development Master Plan. (F1)

Additionally, the proposed development plans conform with the CDMF guidelines for "New Town In-Town" new communities (see CDMF pages 185 through 188) and the guidelines for mixed land use and diversified activity center development (CDMF pages 188 through 190). The following specific new community guidelines are well met by the proposals:

Environmental/Location

- New communities functioning as multi-purpose activity centers .. should be located within high density centers and similar components of urban development pattern.
- New communities should contain activity centers where a mix of land uses is provided that sustains continued use of the area throughout different periods of the day and year.
- Land use patterns should encourage efficiency of movement within the community.
- The open space patterns within, as well as around, a new community should be the basis for establishing a community identity.

Residential

- The new community providing a complete range of housing types should reflect the needs of Dade County residents.

Transportation

- Accessibility with the system within a new community should be directly tied to the system providing accessibility beyond the community.
- Various modes of travel in a new community should be separated wherever practical.

Manpower/Employment

- New communities should provide opportunities for local, small scale entrepreneurs as well as large concerns to establish businesses.

Other

- Mechanisms for citizens involved in local affairs must be built into the structure of new community decision making.

The diversified activity center guidelines contained in the CDMP have application to the proposed redevelopment area since the redevelopment project represents an extension of the Central Business District diversified activities center. The guidelines are met in this regard.

The Development Pattern Map designations for the area in general conform to the proposed redevelopment plan. The dominant pattern map designation is the diversified activity center symbol representing the City of Miami Central Business District. The area adjacent to the central business district is indicated as medium density residential allowing up to 25 units per gross acre. Clearly, the diversified activity center symbol is not intended to accurately depict the full extent of the central business district nor the transition of activities from the CBD to non-CBD areas. The activity center and new community guidelines best characterize the development pattern that should guide the redevelopment plan. In the context of these guidelines, the floor area ratios and residential densities proposed for the redevelopment area are in keeping with the pattern map.

In summary, both of the redevelopment plan components conform to the Dade County Comprehensive Plan.

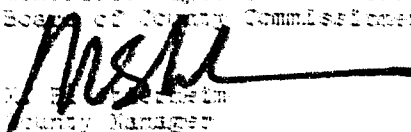
MEMORANDUM

Amend
Amend
Agenda Item No. 2 (e)TO: Honorable Mayor and Members
Board of County Commissioners

DATE

(12-21-82--Public Hearing)
December 7, 1982

SUBJECT

Ordinance for the Southeast
Overtown/Park West Community
Redevelopment AreaFROM: 
Nancy Knight
County Manager

Ordinance No. 82-115

RECOMMENDATION:

We recommend approval on first reading of the tax increment Ordinance for the Southeast Overtown/Park West Community Redevelopment Area.

BACKGROUND:

The Southeast Overtown/Park West Community Redevelopment Plan is to be financed with tax increment monies. Enactment of this Ordinance is necessary in order to put in place the tax increment process. The Ordinance contains the conditions of approval of the Plan that are appropriate for inclusion in the Ordinance. The Finance Committee recommends approval of the Ordinance, subject to the conditions of approval of the Plan.

ORDINANCE NO. 82-115

ORDINANCE RELATING TO REDEVELOPMENT OF SOUTHEAST OVERTOWN/PARK WEST COMMUNITY; PROVIDING FOR DELEGATION OF POWERS TO CITY OF MIAMI PURSUANT TO INTERLOCAL AGREEMENT FOR IMPLEMENTATION OF SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT PLAN; ESTABLISHING REDEVELOPMENT TRUST FUND; PROVIDING FOR APPROPRIATION OF FUNDS AND CALCULATION OF INCREMENT FOR DEPOSIT INTO FUND; SETTING FORTH OBLIGATION TO APPROPRIATE TO FUND AND DURATION OF OBLIGATION; PROVIDING FOR REVIEW AND APPROVAL OF BOND INDENTURE, OTHER FINANCING INSTRUMENTS OR ORDINANCES OR RESOLUTIONS AUTHORIZING A FINANCING INSTRUMENT; PROVIDING FOR REVIEW OF FINANCIAL RECORDS AND RIGHT OF AUDIT; PROVIDING A FINDING OF PUBLIC PURPOSE; PROVIDING SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Legislature of Florida enacted the Community Redevelopment Act of 1969 during the legislative session held during 1969; and

WHEREAS, all powers arising through the aforesaid enactment were conferred by that enactment upon counties with home rule charters, which counties in turn are authorized to delegate such powers to municipalities within their boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

"163.410 Exercise of powers in counties with home rule charters.-- In counties which have adopted home rule charters, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion by resolution delegate the exercise of the powers conferred upon said county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county."; and

WHEREAS, The City of Miami, acting through its own community redevelopment agency indicated its wish to undertake a project which will involve the acquisition and redevelopment in accordance with a plan for redevelopment of that portion of Miami known as Southeast Overtown/Park West specifically described on the attached map made a part hereof and marked Exhibit "A"; and

WHEREAS, the redevelopment trust fund will provide payment for the construction, reconstruction or relocation of county facilities made necessary by the redevelopment project; and

WHEREAS, the City of Miami has requested the County to adopt a resolution pursuant to the provisions of Section 163.410, Florida Statutes, delegating to the City of Miami certain powers pursuant to an Interlocal Agreement but only with regard to that portion of the City of Miami described in the preceding whereas clause so that the said municipality could proceed to adopt its plan for redevelopment, and acquire and arrange for the redevelopment of the above-described portion of the said City; and

WHEREAS, the delegation of authority pursuant to an interlocal agreement is expressly made subject to the implementation of the redevelopment plan presented to the Board of County Commissioners, with any substantial deviation being subject to the subsequent approval of the Board of County Commissioners; and

WHEREAS, the plan was presented to the Board of County Commissioners on 12-7-82, and approved by the Board through Resolution No. R-1677-82; and

WHEREAS, the County is sympathetic to the project envisaged and proposed by the City of Miami which will ultimately involve the expenditure of many millions of dollars, which will be financed in part through Revenue Bonds to be issued by the City of Miami to be secured by such revenue sources as are provided by law; and

WHEREAS, this Board desires to accomplish the purposes outlined in the memorandum from the County Manager, a copy of which is attached hereto, for the reasons delineated therein; and

WHEREAS, this Board hereby finds that this delegation of power and ensuing appropriation of funds serves a public purpose,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Incorporation of foregoing recitations. The foregoing recitations are hereby incorporated as a part of this ordinance.

Section 2. Delegation of exercise of powers.-- Pursuant to Section 163.410, Florida Statutes, Dade County will enter into an interlocal agreement with the City of Miami which, when approved by resolution of the Board of County Commissioners, will provide for the delegation of certain specified redevelopment powers to the City of Miami with respect to the Southeast Overtown/Park West Redevelopment Area. All powers not specifically delegated therein shall be reserved exclusively to the Board of County Commissioners.

Section 3. Appropriation of funds; calculation of increment.-- The County shall annually pay into the Fund, a sum equal to the increment in the income, proceeds, revenues and funds of the County derived from, or held in connection with the community redevelopment project area, and the City's undertaking and carrying out of the community redevelopment project plan. The increment shall be determined annually and shall be that amount equal to the difference between:

- (a) That amount of general County-wide operating ad valorem taxes levied each year by the County on taxable real property contained within the geographic boundaries of the community redevelopment project area; and
- (b) That amount of general County-wide operating ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the County upon the total of the assessed value of the taxable real property in the community redevelopment project area, as shown upon the most recent assessment rolls used in connection with the taxation of such property by the County, prior to the effective date of the County's Resolution No. R-1677-82 approving the community redevelopment plan.

Section 4. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for county increment.-- The County shall annually appropriate to the fund the tax increment due the fund at the beginning of the county's fiscal year. However, the fund shall receive the tax increment only as, if and when such taxes are collected by the county. The county's obligation to appropriate to the fund shall be rescindable, at the discretion of the county, if a period of 2 years passes from the date of the initial bonding or indebtedness described below without a new sale of bonds or other new commitment of county tax increment dollars to the payment of debt service for capital improvement or land acquisition bonds, except that the rights of existing bondholders shall be protected. The county's obligation to annually appropriate to the fund shall commence immediately upon the effective date of this ordinance (ten (10) days after 12-21, 1982) and continue until all loans, advances and indebtedness incurred as a result of the community redevelopment project have been paid or for 2 years from the effective date of this ordinance, if there has not been, at the end of that 2 year period, a pledge of the tax increment funding granted by this ordinance through the issuance, sale and delivery of an instrument of indebtedness such as bonds or tax anticipation notes described in Section 163.385, Florida Statutes. In no year shall the county's obligation to the Fund exceed the amount of that year's tax increment as determined in Section 3 of this ordinance. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness and in every year thereafter, the county's annual appropriation to the fund shall not exceed the amount which is deposited in the nineteenth year. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness, no new sale of bonds or indebtedness supported by the county's tax increment may occur nor may existing indebtedness so supported be refunded without approval of the Board of County Commissioners. The County's increment contributions are to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt services.

Section 5. Review and approval of master bond indenture or other financing instrument or ordinance or resolution authorizing financing instruments; review of subsequent financing instruments to assure compliance with master indenture.-- The County Commission shall approve the initial master bond indenture and ordinance or resolution authorizing financing instruments and instruments of indebtedness such as bonds or tax anticipation notes as described in Section 163.385, Florida Statutes, as to its provisions relating to refunding, prepayment and redemption, other provisions relating to the governance of financing instruments and instruments of indebtedness, the application of funds necessary to pay costs of necessary residential property acquisition, moving expenses and relocation benefits as provided under the Redevelopment Plan. Subsequent financing instruments or instruments of indebtedness prepared pursuant to the master indenture shall be reviewed by the County Manager and shall be approved unless he determines that the instruments do not conform with the terms of the approved initial master indenture and ordinance or resolution authorizing financing instruments.

Section 6. Relocation assistance trust fund.-- Out of the proceeds of each bond sale, there shall be withdrawn, placed in trust, and separately accounted for, such sums as are prescribed in the Redevelopment Plan to pay the costs of moving expenses and relocation benefits.

Section 7. Review of financial records; right of audit.-- The financial records for the Fund shall be available for County inspection and the County reserves the right of audit.

Section 8. Public Purpose.-- This ordinance being for a public purpose and for the welfare of the citizens of Dade County, Florida, shall be liberally construed to effectuate the purposes thereof.

Section 9. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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Section 10. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 11. This ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: December 21, 1982

Approved by County Attorney as
to form and legal sufficiency. RAG

Prepared by: S.S.S.

BCC Meeting: January 23, 2019
Research Notes

Item No. 8I1
File No. 182569

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S IMPLEMENTATION OF AN INITIATIVE FOR THE SEALING AND EXPUNGEMENT OF CRIMINAL RECORDS FOR ELIGIBLE PARTICIPANTS IN SUPPORT OF MILESTONE 6 OF THE MIAMI-DADE COUNTY MY BROTHER'S KEEPER LOCAL ACTION PLAN; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPEND UP TO \$10,000.00 FROM THE MIAMI-DADE COUNTY DIVERSION PROGRAM TO SUPPORT THE SEAL AND EXPUNGEMENT APPLICATION FEE SET BY THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT IN THE AMOUNT OF \$75.00 FOR AN ESTIMATED 132 ELIGIBLE PARTICIPANTS' SEAL AND EXPUNGE APPLICATIONS, AND THE POSTAGE COST OF \$.50 TO MAIL EACH APPLICATION; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONTINUE THE SEALING AND EXPUNGEMENT INITIATIVE FOR ADDITIONAL ELIGIBLE PARTICIPANTS SHOULD ADDITIONAL FUNDING FROM THE MIAMI-DADE COUNTY DIVERSION PROGRAM BECOME AVAILABLE

ISSUE/REQUESTED ACTION

Whether the Board should approve the County Mayor's implementation of a seal and expungement initiative of criminal records for eligible participants to support Milestone 6 of the County's My Brother's Keeper Local Action Plan in an amount of up to \$10,000.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 943.059 sets forth the process for court-ordered sealing of criminal history records. The courts of the state have jurisdiction over their own procedures, including the maintenance, sealing and correction of judicial records containing criminal history information to the extent such procedures are not inconsistent with the conditions, responsibilities, and duties established by this section. Any court of competent jurisdiction may order a criminal justice agency to seal the criminal history record of a minor or an adult who complies with the requirements of this section. The court shall not order a criminal justice agency to seal a criminal history record until the person seeking to seal a criminal history record has applied for and received a certificate of eligibility for sealing.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=expunge&URL=0900-0999/0943/Sections/0943.059.html

Florida Administrative Code Rule 11C-7.008 sets forth the State of Florida's expunction and sealing policy and procedures for criminal history records.

<https://www.flrules.org/gateway/ruleno.asp?id=11C-7.008>

Resolution No. R-314-17, adopted by the Board on March 21, 2017, approved the 2017 My Brother's Keeper Local Action Plan and directed the County Mayor to implement the strategies and recommendations set forth in the plan. The plan is governed by six milestones designed to address the needs of juveniles. Milestone 6 is "Reducing Violence and Providing a Second Chance".

<http://intra/gia/matter.asp?matter=170582&file=true&yearFolder=Y2017>

Implementing Order No. 2-12 sets forth the County's Diversion Program, including policy and eligibility. The program affords eligible civil violators the option of paying a fee or completing community service instead of requesting an administrative hearing or paying a civil penalty.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO2-12.pdf>

BCC Meeting: January 23, 2019
Research Notes

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson

Department/Requester: Police Department

The item was forwarded to the Board with a favorable recommendation from the Chairman's Policy Council on November 29, 2018. At the meeting, Commissioners Bovo, Monestime, Moss and Sosa requested to be added as co-sponsors.

ANALYSIS

This item is requesting Board approval for the County Mayor to implement an initiative to seal and expunge criminal records of eligible participants. The initiative is in response to Milestone 6 (Reducing Violence and Providing a Second Chance) of the My Brother's Keeper Local Action Plan, which was approved by the Board on March 21, 2017. The Action Plan, which aims to deter young men of color from the criminal justice system, is the work product of a collaborative effort that included the County Mayor's Office, local elected officials, the Florida State Attorney's Office, the Miami-Dade County Public Defender's Office and the Miami-Dade County Police Department. Under Milestone 6 of the plan, the collaborators agreed to promote seal and expungement opportunities for the target group.

This initiative will cost \$10,000 to cover the seal and expungement application and postage fees of 132 eligible participants, i.e. \$75.00 per application fee and \$0.50 per application postage fee. Funds to support the initiative will be allocated from the County's Diversion Program.

Florida law makes criminal history records public, with special provisions for access, unless the record has been sealed or expunged. The records may include arrests, charges and case dispositions. A sealed record is placed under highly restricted access. An expunged record is removed from record systems or files and destroyed. The law provides several means to seal or expunge certain categories of Florida criminal history records (both adult and juvenile). Applications for the seal and expunge process are available electronically on the Florida Department of Law Enforcement website. The types of sealing or expungement processes authorized under Florida law are as follows:

- Administrative Expungement
- Court-Ordered Sealing or Expungement
- Juvenile Diversion Expungement
- Lawful Self-Defense Expungement
- Human Trafficking Expungement
- Automatic Juvenile Expungement
- Early Juvenile Expungement

Note that there appears to be a scrivener's error on page three of the agenda item – the resolution approving the Local Action Plan is "R-314-17," not "R-341-17," as currently written.

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 8I2
File No. 182727**

Researcher: LE Reviewer: TD

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY IN AN AMOUNT UP TO \$151,238.00 IN REIMBURSEMENT REVENUE FOR A TERM ENDING ON AUGUST 31, 2021; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ANY NECESSARY AMENDMENTS; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE CANCELLATION CLAUSE CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a Memorandum of Understanding with the South Florida Regional Transportation Authority in an amount up to \$151,238 in County reimbursement revenue for a term ending on August 31, 2021.

APPLICABLE LEGISLATION/POLICY

Section 343.51- 343.58, Florida Statutes governs the South Florida Regional Transportation Authority.

<http://www.sfrta.fl.gov/docs/finalrta.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Sally A. Heyman, District 4

Department/Requester: Miami-Dade Police Department (MDPD)

During the PSHC meeting on December 12, 2018, the item was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is for Board approval of a Memorandum of Understanding with the South Florida Regional Transportation Authority for \$151,238 in County reimbursement revenue, creating a positive fiscal impact. The term of the agreement begins upon execution of the MOU and ends on August 31, 2021. The MOU authorizes MDPD to conduct training exercises to improve the safety and security of the SFRTA Tri-Rail commuter rail service system with the engagement of regional partners, including the Broward Sheriff's Office. The County is to be reimbursed by SFRTA for expenses incurred while conducting these training exercises. The funds for the reimbursement are generated from federal, no match funds, received by the SFRTA from the United States Department of Homeland Security, under the Transit Security Grant Program. The purpose of these funds is for the SFRTA and the MDPD to work together implementing this grant funded initiative in furtherance of promoting public safety for residents and visitors of Miami-Dade County as well as planning for responding to regional public safety threats.

MDPD houses the only full-time Special Weapons and Tactics (SWAT) Team in the South Florida region and is thus tasked with the lead role in responding to incidents occurring on the venues and vehicles operated by the SFRTA.

The following are the responsibilities of the MDPD as outlined by the MOU:

- 1) Conduct operations in accordance with requirements of the Transit Security Grant Program as detailed in the grant application document and also with local grant requirements within Miami-Dade County and SFRTA.
- 2) Conduct and conclude operations in accordance with the grant period to be eligible for reimbursement.
- 3) Complete required reporting to facilitate grant compliance by the SFRTA.
- 4) Submit reimbursement requests and other required reports in accordance with the reporting deadlines to be provided by the SFRTA.

BCC Meeting: January 23, 2019
Research Notes

The following are the responsibilities of the SFRTA as outlined by the MOU:

- 1) Monitor the implementation of this Memorandum of Understanding in accordance with grant requirements. This includes operational and administrative performance, fiscal management, reporting, and other related grant requirements.
- 2) Implement appropriate action as may be necessary to maintain grant compliance.
- 3) Provide the MDPD with reporting deadlines and other information necessary to implement the grant funded operations.
- 4) Administer the reimbursement process in an efficient manner for timely payments to Miami-Dade County. Reimbursements shall be paid to the Miami-Dade Police Department no later than 45 days after a fully completed reimbursement request is received by the SFRTA.

ADDITIONAL INFORMATION

South Florida Regional Transportation Authority

With the creation of the South Florida Regional Transportation Authority (SFRTA) on July 1, 2003, South Florida's three counties began efforts to work together to ensure a viable regional transportation system. The SFRTA, with cooperation from its transportation partners, works diligently to plan, develop, fund and operate a seamless, safe and efficient regional transportation system. A regional transportation system in South Florida will ensure mobility, advance sustainable growth and improve the quality of life for current and future residents.

<http://www.sfrta.fl.gov/>

BCC Meeting: January 23, 2019
Research Notes

Item No. 8K1
File No. 182772

Researcher: MF Reviewer: TD

RESOLUTION AUTHORIZING THE EXECUTION AND RECORDING OF A RELEASE OF COUNTY DEED RESTRICTIONS AND A DECLARATION OF RESTRICTIONS RELATING TO REAL PROPERTY LOCATED AT 227 NW 62ND STREET, MIAMI, FLORIDA, 33150, CURRENTLY OWNED BY 62ND STREET, LLC, A JOINT VENTURE BETWEEN REDEVCO 62ND STREET, LLC AND LITTLE HAITI HOUSING ASSOCIATION, INC. D/B/A HAITIAN AMERICAN COMMUNITY DEVELOPMENT CORPORATION, SUBJECT TO CERTAIN CONDITIONS PRECEDENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION, AND PRESENT A STATUS REPORT TO THE BOARD WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS RESOLUTION

ISSUE/REQUESTED ACTION

Whether the Board should authorize the execution and recording of a release of County Deed Restrictions and a Declaration of Restrictions relating to real property located at 227 NW 62nd Street, Miami, currently owned by 62nd Street, LLC, a joint venture between Redevco 62nd Street, LLC and Little Haiti Housing Association, Inc., d/b/a Haitian American Community Development Corporation, subject to certain conditions precedent.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Section 125.38 states that “[i]f the United States, or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of this State, or corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any County of this State or by its board of county commissioners, for public community interest and welfare, then the United States, or any department or agency thereof, State or such political subdivision, agency, municipality, corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.38.html

Florida Statutes, Section 125.411, relates to deeds of conveyance of lands.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.411&URL=0100-0199/0125/Sections/0125.411.html

Miami-Dade County Code, Section 2-8.6.5, governs the purchase, sale and lease of real property.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

Resolution No. R-333-15, adopted April 21, 2015, establishes County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

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

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

Resolution No. R-380-17, adopted by the Board on April 4, 2017, established the policy requiring the County Mayor to provide written notification to the District Commissioner in which the County-owned property lies no less than four weeks prior to placing any item on the agenda requesting approval of the sale, lease or surplus of County-owned property.

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

Resolution No. R-1136-05, adopted by the Board on October 18, 2005, authorized conveyance of land to the Little Haiti Housing Association, Inc., for the development of the 62nd Street Plaza, in accordance with Florida Statutes, Section 125.38.

<http://intra/gia/matter.asp?matter=052666&file=true&yearFolder=Y2005>

Resolution No R-160-05, adopted by the Board on February 1, 2005, approved the Fiscal Year 2005 funding recommendations for the State Housing Initiative Partnership, HODAG, Rental Rehabilitation and Surtax Programs; authorized the filing with the U.S. HUD of Miami-Dade County's FY 2005 Action Plan with projected uses of funds for FY 2005 Community Development Block Grant, Home Investment Partnership and Emergency Shelter Programs; directed the County Manager to submit to U.S. HUD the Opa-Locka, West Little River, Model City, Melrose, South Miami, Perrine, Leisure City, Goulds, W. Kendall and Sweetwater areas and the Federal Enterprise Community/Empowerment Zone for designation as Neighborhood Revitalization Strategy Areas.

<http://intra/gia/matter.asp?matter=050416&file=false&yearFolder=Y2005>

Resolution No. R-131-06, adopted by the Board on January 24, 2006 approved the Fiscal Year 2006 funding recommendations for State Housing Initiative Partnership, HODAG, Rental Rehabilitation and Surtax Programs; authorized the filing with the U.S. HUD of Miami-Dade County's FY 2005 Action Plan with projected uses of funds for FY 2005 Community Development Block Grant, Home Investment Partnership, HODAG Program Income, Rental Rehab Program Income, American Down Payment Dream Initiative and Emergency Shelter Grant Programs; directed the County Manager to submit to U.S. HUD the Opa-Locka, West Little River, Model City, Melrose, South Miami, Perrine, Leisure City, Goulds, W. Kendall and Sweetwater areas and the Federal Enterprise Community/Empowerment Zone for designation as Neighborhood Revitalization Strategy Areas.

<http://intra/gia/matter.asp?matter=060521&file=true&yearFolder=Y2006>

Resolution No. R-1285-09, adopted by the Board on November 3, 2009 amended the Fiscal Year 2009 Action Plan to reflect the re-allocation of FY 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009 Community Development Block Grant Funds, in the amount of \$3,428,313.91 and HOME Funds in the amount of \$500,000.

<http://intra/gia/matter.asp?matter=100212&file=true&yearFolder=Y2010>

Resolution No. R-579-15, adopted by the Board on June 30, 2015, approved the Fiscal year 2015 Action Plan funding recommendations for \$9,077,964.87 of Community Development Block Grant (CDBG) Funds, \$2,342,405.25 of HOME Investment Partnerships (HOME) Funds, and \$960,995.00 of Emergency Solutions Grant Funds; approved substantial amendments to the FY 2013-2017 Consolidated Plan; authorized the County Mayor to file with the U.S. Department of Housing and Urban Development Miami-Dade County's FY 2015 Action Plan and substantial amendments to the FY 2-13-2017 Consolidated Plan and to make and file with U.S. HUD future non-substantial modifications to the FY 2015 Action Plan and the FY 2013-2017 Consolidated Plan; approved voluntary grant reductions of the County's Entitlement allocations from U.S. HUD in the amount of up to \$8,368,606.21 for CDBG Funds and \$4,710,752.24 for HOME Funds; approved the policy that no single applicant or entity for FY 2015 CDBG Funds shall receive more than 20 percent of the total allocation for any CDBG category of funding; authorized, pursuant to the provisions of Section 17-02 of the Code of Miami-Dade County, a loan not to exceed \$760,406.41 of HOME Program Income Funds to Coquina Place Associates, Ltd., or related entity, for development of Coquina Place, an affordable housing project.

<http://intra/gia/matter.asp?matter=151394&file=true&yearFolder=Y2015>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Department/Requester: Public Housing and community Development

The proposed resolution was considered at the Housing and Social Services Committee meeting of December 10, 2018.

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Research Notes

Commissioner Martinez expressed his concern with the County contracting with the Little Haiti Housing Association, Inc., d/b/a Haitian American Community Development Corporation, because the U.S. Department of Housing and Urban Development cited the County for disbursing CDBG funds to Little Haiti without ensuring that its project would be able to create three jobs. He continued that even though PHCD sent non-compliance letters to Little Haiti and requested that the funds spent be reimbursed, Little Haiti never repaid the funds.

Mr. Clarence Brown, Public Housing and Community Development Department, confirmed that the item disclosed the information provided by Commissioner Martinez. However, he noted, due to market conditions, the original project could not be implemented. He stated that subsequently, the developer approached the County to obtain funds to develop a restaurant and the County requested that the developer commit to creating ten jobs.

Chairwoman Edmonson said that she was very familiar with the partner in the joint venture, Redevco 62nd Street. She inquired whether the County could hold Redevco responsible if Little Haiti failed to meet its commitment.

Ms. Debra Sinkle Kolsky, President of Retail Development Company (Redevco), explained that the company was partnering with Little Haiti for this project, had a signed lease, a site plan approval, and was a City and County permittee for the project.

Assistant County Attorney Brenda Kuhns clarified that the item approved the execution of a Declaration of Restrictions. She stated that if the partners in the joint venture did not create the jobs, the repercussion would be for them to pay liquidated damages to the County in the amount of \$35,000 per job.

Pursuant to Commissioner Levine Cava's question as to whether Redevco would be held responsible if the jobs were not created, Ms. Singer confirmed that the partners signed the Declaration of Restrictions and would be responsible to pay the penalty if no jobs were created.

Commissioner Suarez stated that he shared Commissioner Martinez' concerns, and advised the partners to ensure that the project would be implemented this time.

The proposed resolution was forwarded to the BCC with a favorable recommendation. Commissioner Martinez voted "no".

ANALYSIS

Resolution No. R-1136-05, adopted by the Board on October 18, 2005, authorized conveyance of three parcels of land to the Little Haiti Housing Association, Inc., for the development of the 62nd Street Plaza. The .50 acre property is located at 227 NW 62nd Street, Miami, approximately at the NW corner of NW 2nd Avenue. The property was to be developed by 62nd Street, LLC, a joint venture entity of Little Haiti and Redevco 62nd Street, LLC. It was to consist of approximately 10,000 square feet of retail space and named 62nd Street Plaza. The parties agreed that Little Haiti would contribute the property and \$67,000.00 of CDBG funds received from the County.

All three lots had been previously purchased by the County with federal funds in 1970. They were conveyed by County Deed to Little Haiti on May 17, 2006, subject to certain covenants running with the land and provided to the County a right of re-entry. The property was subsequently transferred from Little Haiti to 62nd Street, LLC by quit claim deed on May 17, 2006.

Resolutions Nos. R-160-05 and R-131-06 allocated CDBG funds to Little Haiti, in the amounts of \$47,000.00 and \$20,000.00, respectively, for pre-development expenses associated with the development of the retail center, renamed as the Shoppes of San Souci. Miami-Dade County and Little Haiti entered into a contract on April 18, 2006, which required that Little Haiti obtain additional funding in the amount of \$948,951.00, begin construction no later than the beginning of the fourth quarter of 2006, and complete construction no later than December 31, 2006.

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After several contract extensions, Little Haiti was unable to obtain additional funding in order to begin construction; therefore, PHCD did not extend the contract when it expired on September 30, 2008. However, by that time Little Haiti had already spent \$52,834.96 on pre-development expenses. Following the expiration of the contract, the Board recaptured the remaining balance of \$14,165.04. PHCD sent non-compliance letters to Little Haiti and requested that the funds spent be reimbursed, but Little Haiti never repaid the funds.

The U.S. Department of Housing and Urban Development cited \$41,244.00 of the \$52,834.96 spent for repayment to HUD because the County did not ensure that this project would be able to create the three jobs before disbursing the CDBG funds to Little Haiti. Therefore, \$41,244.00 was included in a Voluntary Grant Reduction of CDBG funds approved by the Board in Resolution No. R-579.15.

In spite of all of the difficulties encountered with this project, PHCD has negotiated with 62nd Street, LLC and recommends that the project be revised in order to develop another project that will create permanent jobs in Little Haiti, a low-income community located in one of the County's Targeted Urban Areas. The commencement date for the construction of the improvements will be no later than June 1, 2019, and the completion date will be June 30, 2020.

The proposed resolution requests the Board to (1) authorize the execution and recording of a release of County Deed Restrictions and reversionary interest contained in the Deed pursuant to Resolution No. R-1136-05 in response to a formal written request from Redevco Management; (2) authorize and execute a new Declaration of Restrictions for a project to include the construction of an approximately 900 square foot restaurant with a drive-thru, client parking spaces, outdoor seating and the creation of at least 10 new jobs; and (3) direct that the County Mayor present a status report within one year of the effective date of the resolution as to whether the County Mayor was able to execute the Release of County Deed Restrictions and Declaration of Restrictions.

According to the Fiscal Impact Statement, the proposed resolution will not have a negative impact on the County's General Fund.

ADDITIONAL INFORMATION

Eligible activities for Community Development Block Grant (CDBG) funding must meet one or more of the national objectives set by HUD and benefit the low and moderate income persons of Miami-Dade County. CDBG funds are designed to support projects that benefit low and moderate income persons; are integrated in a long-range community strategy; leverage further private and public partnership; and enhance deteriorated residential and business districts.

<http://www.miamidade.gov/housing/community-development.asp>

Miami-Dade County's has designated 23 residential and commercial areas as Target Urban Areas based on their geographic location. These areas consist of predominantly low-income and depressed areas that were created as a result of the Mayor's Urban Revitalization Task Force.

<https://www.miamidade.gov/economicadvocacytrust/targeted-urban-area-maps.asp>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), 62nd Street, LLC, has an active status as a Florida Limited Liability Company and first filed and registered on 6/4/2003. The principal address is registered as 220 Florida Avenue, Coral Gables, FL 33133. Its registered agent is Sinkle Kolsky, Debra, 220 Florida Avenue, Coral Gables, FL 33133.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Redevco 62nd Street, LLC, has an active status as a Florida Limited Liability Company and first filed and registered on 6/4/2003. The principal address is registered as 220 Florida Avenue, Coral Gables, FL 33133. Its registered agent is Sinkle Kolsky, Debra, 220 Florida Avenue, Coral Gables, FL 33133.

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<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Little Haiti Housing Association, Inc., has an active status as a Florida Not for Profit Corporation and first filed and registered on 3/11/1987. The principal address is registered as 181 NE 82nd Street, Suite 100, Miami, FL 33138. Its registered agent is Diller, Samuel, 181 NE 82nd Street, Suite 100, Miami, FL 33138.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Haitian American Community Development Corporation, has an active status as a Corporation registered under a fictitious name. It first filed and registered on 12/3/2012. The mailing address is registered as 181 NE 82nd Street, Miami, FL 33138. Its registered agent is Little Haiti Housing Association., 181 NE 82nd Street, Miami, FL 33138.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

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Research Notes**

**Item No. 8K2
File No. 182763**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING A LOAN TO WOODLAND GROVE APARTMENTS, LLC OR RELATED ENTITY IN AN AMOUNT NOT TO EXCEED \$1,127,834.05 OF DOCUMENTARY STAMP SURTAX PROGRAM FUNDS, ALL BASED UPON PREPAYMENT BY RS DEVELOPMENT CORPORATION OF PREVIOUS SURTAX LOANS, FOR DEVELOPMENT OF THE WOODLAND GROVE AFFORDABLE MULTIFAMILY HOUSING PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONDITIONAL LOAN COMMITMENTS AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION

ISSUE/REQUESTED ACTION

Whether the Board should approve a loan to Woodland Grove Apartments, LLC or related entity in an amount not to exceed \$1,127,834.05 of documentary stamp surtax program funds, based upon prepayment by RS Development Corporation (a related entity of Woodland Grove) of previous surtax loans, for development of the Woodland Grove affordable multifamily housing project.

APPLICABLE LEGISLATION/POLICY

Section 17-02 of the Miami-Dade County Code, provides that any developer which repays its County loan in full before the date on which the loan is due may, upon approval of the Board, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects, without the need to compete again for those funds.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH17HO_ARTVILOHOASPR_S17-102ESLOHOASPR

Section 29-7 of the Miami-Dade County Code, states that The Board of County Commissioners of Miami-Dade County hereby finds and declares that there is a great and urgent need in this community for the construction and rehabilitation of all types of affordable housing. This Board further finds that the documentary surtax program has been widely successful in meeting this need and should continue to fund the construction and rehabilitation of housing for low and moderate income families through the provision of second mortgages, construction loans and other programs.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTIINGE_S29-7DOST

Resolution No. R-1287-98, adopted by the Board on November 24, 1998, approved the funding recommendations for the State Housing Initiative Partnership and Surtax programs, authorizing the filing with the U.S. HUD of the County's Fiscal Year 1999 Action Plan with projected uses of funds for the County's Community Development Block Grant, Home Investment Partnership and Emergency Shelter Grant Programs.

<http://intra/gia/matter.asp?matter=990099&file=false&yearFolder=Y1999>

Resolution No. R-1331-99, adopted by the Board on December 7, 1999, approving the FY 2000 funding recommendations for the state housing initiative partnership and surtax programs; authorizing the filing with U.S. HUD of Miami-Dade County's FY 2000 action plan with projected uses of funds for the county's community development block grant, home investment partnership and emergency shelter grant programs.

<http://intra/gia/matter.asp?matter=000095&file=false&yearFolder=Y2000>

Resolution No. R-1349-00, adopted by the Board on December 14, 2000, approved the Fiscal Year 2001 funding recommendations for the State Housing Initiative Partnership and Surtax programs, authorizing the filing with the U.S. HUD of the County's Fiscal Year 2001 Action Plan with projected uses of funds for the County's Community Development Block Grant, Home Investment Partnership and Emergency Shelter Grant Programs.

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<http://intra/gia/matter.asp?matter=003258&file=false&yearFolder=Y2000>

Resolution No. R-622-01, adopted by the Board on June 5, 2001, authorizing the County Mayor to allocate \$5,202,895 of documentary surtax funds from incentive pool to developers and execute agreements.

<http://intra/gia/matter.asp?matter=011148&file=false&yearFolder=Y2001>

Resolution No. R-869-01, adopted by the Board on July 24, 2001, authorizing the County Mayor to allocate \$2,947,105 of documentary surtax funds from incentive pool to developers and execute agreements.

<http://intra/gia/matter.asp?matter=012154&file=false&yearFolder=Y2001>

Resolution No. R-1355-01, adopted by the Board on December 4, 2001, approved the Fiscal Year 2002 funding recommendations for the State Housing Initiative Partnership and Surtax programs, authorizing the filing with the U.S. HUD of the County's Fiscal Year 2002 Action Plan with projected uses of funds for the County's Community Development Block Grant, Home Investment Partnership and Emergency Shelter Grant Programs.

<http://intra/gia/matter.asp?matter=020126&file=false&yearFolder=Y2002>

Resolution No. R-232-14, adopted by the Board on March 4, 2014, restricts contract extensions for persons or entities funded with community development block grant, home investment partnerships, documentary surtax (affordable housing), state housing initiatives partnership program, or emergency solutions grant funds.

<http://www.miamidade.gov/govaction/matter.asp?matter=140181&file=true&fileAnalysis=false&yearFolder=Y2014>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, Commission District 9

Requester/Department: Public Housing and Community Development

The item was brought before the Housing and Social Services Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

The purpose of this item is for the Board to approve a loan to Woodland Grove Apartments, LLC or related entity, in an amount not to exceed \$1,127,834.05 of documentary stamp surtax program funds, based upon prepayment by RS Development Corporation, a related entity of Woodland Grove, of previous surtax loans, for development of the Woodland Grove affordable multifamily housing project located at the NE Corner of SW 268th Street and 142nd Avenue, Naranja, Florida, 33032 in Commission District 9, represented by Commissioner Dennis C. Moss. Woodland Grove Apartments, LLC. And RS Development Corp. are affiliates of Centennial Management Corporation.

The Fiscal Impact is an amount not to exceed of \$1,127,834.05 of documentary stamp surtax program funds. There will be no negative impact on the County's general fund because the amount is being re-used from an existing loan that was issued to RS Development Corp. The term remains the same as the original term until September 31, 2031 and May 1, 2032. At the October 2, 2018 BCC meeting an Award recommendation of up to \$16,778,447 for FY201 Request for Applications (RFA) for the Documentary Stamp Surtax program was approved. Of the \$16,778,447.00 issued, \$6,599,800 were set aside for the Woodland Grove Apartments, LLC.

The purpose of the loan is to fund the new construction and development of the Woodland Grove apartments, which is an affordable multi-family rental housing project, consisting of 190 units that make up a 3 story garden-style apartment buildings.

The original loan made to RS Development Corp was for approximately 1.2 million dollars and the repayment of said loan had a deadline of September 2031 and May 2032 (because the loans were broken into two parts). RS Development has paid most of

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the money back and this type of loan system allows the money to be re-borrowed again by the company or in this immediate case a related company such as Woodland Grove a related entity. The money would be available now and the repayment deadlines would remain the same.

Surtax loan funds to RS Development Corp. totaling \$1,250,000 have been previously used in the Country Club Villas II affordable housing project pursuant to Resolution No. R-1331-99, Resolution No. R-869-01 and Resolution No. R-622-01. Those funds have been paid and have been requested to be re-allocated to the Woodland Grove project. Section 17-102 the County Code permits prepayment and re-loan structure for developers who get the loan funds and prepay the entire amount on or before the maturity date. The original loans amounted up to \$1,250,000, and had a maturity date of September 31, 2031 and May 1, 2032.

This project will consist of 190 affordable units of which 31 units are being set aside for tenants with incomes at or below 28% of the Annual Median Income (AMI) and 159 units will be set-aside for tenants with incomes at or below 60% of the AMI. Of the 190 affordable units, 12 units are being set-aside for persons with disabilities.

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Research Notes**

**Item No. 8K3
File No. 182774**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING A LOAN IN AN AMOUNT UP TO \$808,964.00 OF DOCUMENTARY STAMP SURTAX PREPAID LOAN FUNDS FROM RAYOS DEL SOL, LTD. TO CARIBBEAN VILLAGE, LTD. OR RELATED ENTITY FOR THE DEVELOPMENT OF THE CARIBBEAN VILLAGE AFFORDABLE SENIOR HOUSING DEVELOPMENT; AND AUTHORIZES THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONDITIONAL LOAN COMMITMENTS, AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor or the County Mayor's designee to allocate up to \$808,964 of Documentary Stamp Surtax Program funds received through the pre-payment of Surtax program loans from Rayos Del Sol, Ltd. to Caribbean Village, Ltd. as the two entities are related for the development of the Caribbean Village Senior Rental affordable housing project.

APPLICABLE LEGISLATION/POLICY

Section 17-02 of the Miami-Dade County Code, which provides that any developer which repays its County loan in full before the date on which the loan is due may, upon approval of the Board, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects, without the need to compete again for those funds.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH17HO_ARTVILOHOASPR_S17-102ESLOHOASPR

Section 29-7 of the Miami-Dade County Code, states that The Board of County Commissioners of Miami-Dade County hereby finds and declares that there is a great and urgent need in this community for the construction and rehabilitation of all types of affordable housing. This Board further finds that the documentary surtax program has been widely successful in meeting this need and should continue to fund the construction and rehabilitation of housing for low and moderate income families through the provision of second mortgages, construction loans and other programs.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH29TA_ARTIINGE_S29-7DOST

Resolution No. R-1287-98, adopted by the Board on November 24, 1998, approved the funding recommendations for the State Housing Initiative Partnership and Surtax programs, authorizing the filing with the U.S. HUD of the County's Fiscal Year 1999 Action Plan with projected uses of funds for the County's Community Development Block Grant, Home Investment Partnership and Emergency Shelter Grant Programs.

<http://intra/gia/matter.asp?matter=990099&file=false&yearFolder=Y1999>

Resolution No. R-1331-99, adopted by the Board on December 7, 1999, approving the FY 2000 funding recommendations for the state housing initiative partnership and surtax programs; authorizing the filing with U.S. HUD of Miami-Dade County's FY 2000 action plan with projected uses of funds for the county's community development block grant, home investment partnership and emergency shelter grant programs.

<http://intra/gia/matter.asp?matter=000095&file=false&yearFolder=Y2000>

Resolution No. R-1349-00, adopted by the Board on December 14, 2000, approved the Fiscal Year 2001 funding recommendations for the State Housing Initiative Partnership and Surtax programs, authorizing the filing with the U.S. HUD of the County's Fiscal Year 2001 Action Plan with projected uses of funds for the County's Community Development Block Grant, Home Investment Partnership and Emergency Shelter Grant Programs.

<http://intra/gia/matter.asp?matter=003258&file=false&yearFolder=Y2000>

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Resolution No. R-1355-01, adopted by the Board on December 4, 2001, approved the Fiscal Year 2002 funding recommendations for the state housing initiative partnership and surtax programs; authorizing the filing with U.S. HUD of Miami-Dade County's FY 2002 action plan with projected uses of funds for the county's community development block grant, home investment partnership and emergency shelter grant programs.

<http://intra/gia/matter.asp?matter=020126&file=false&yearFolder=Y2002>

Resolution No. R-232-14, adopted by the Board on March 4, 2014, restricts contract extensions for persons or entities funded with community development block grant, home investment partnerships, documentary surtax (affordable housing), state housing initiatives partnership program, or emergency solutions grant funds.

<http://www.miamidade.gov/govaction/matter.asp?matter=140181&file=true&fileAnalysis=false&yearFolder=Y2014>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, Commission District 9

Requester/Department: Public Housing and Community Development

The item was brought before the Housing and Social Services Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

The purpose of this item is for the Board to approve a loan to Caribbean Village, Ltd. in an amount up to \$808,964 of Documentary Stamp Surtax pre-paid loan funds from Rayos Del Sol, Ltd. for the development of Caribbean Village Affordable Senior Housing Development.

The Fiscal Impact is an amount up to \$808,964.00 of documentary stamp surtax program funds. There will be no negative impact on the County's general fund because the amount is being re-used from an existing loan that was issued to Rayos Del Sol, Ltd.

The purpose of the loan is to fund the new construction and development of the Caribbean Village senior housing projects, which is a senior affordable housing project, consisting of 123 units that make up a high-rise development. Surtax loan funds have been previously used in the Rayos del Sol project, a completed affordable housing project pursuant to Resolution No. R-1349-00 as well as Resolution No. R-1355-01. The subject funding is derived from pre-payments from previously issued County loans to this entity (Rayos del Sol). Rayos Del Sol and Caribbean Village Ltd. are related to and affiliated with the Pinnacle Housing Group (Pinnacle). Pinnacle submitted a letter on August 22, 2018 requesting that the prepaid funds be loaned to Caribbean Village Ltd. Section 17-102 the County Code permits prepayment and re-loan structure for developers who get the loan funds and prepay the entire amount on or before the maturity date. The original loans amounted up to \$1,000,000, and had a maturity date of December 31 2034 According to the mayoral memo as of August 23, 2018, the amount of \$1,004,859.75 from the original loans had been repaid.

This project will consist of 123 affordable units consisting of one and two bedroom apartments for people with incomes ranging from 30 to 60 percent of area median income.

PHCD is recommending that up to \$808,964.00 be re-allocated to Caribbean Village instead of the requested \$1,000,000.00 based on the 20% deferral of the developer fee pursuant to the Fiscal Year 2014 Surtax Request for applications.

The following table and illustrations show the housing developments that were completed and the original loan amounts that have been repaid back to the County:

The prior development of Rayos del Sol Ltd. is located within Commission District 5.

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Research Notes**

**Item No. 8N1
File No. 182675**

Researcher: IL Reviewer: TD

RESOLUTION TERMINATING THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI TO PROVIDE FUNDING FOR THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ALONG SOUTH MIAMI AVENUE FROM SW/SE 12 STREET TO SW/SE 10 STREET; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the termination of a Joint Participation Agreement (JPA) between Miami-Dade County and the City of Miami which provides funding for the construction of drainage improvements along South Miami avenue from SW/SW 12 street to SW/SE 10 street for the Department of Transportation and Public Works (DTPW).

APPLICABLE LEGISLATION/POLICY

Section 2-9 of the Code of Miami-Dade County, (Contracts with municipalities or governmental units for services-Authority of Manager), authorizes the County Manager/Mayor to enter into contracts in behalf of this County with municipalities and other governmental units for joint performance with the County or performance by any municipality or other governmental unit in behalf of the County or any function or service which the County is authorized or directed to perform under Section 11, Article VIII of the Florida Constitution, the Home Rule Charter, or any ordinance adopted by the Board.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA)

Section 2-10 of the Code of Miami-Dade County, (Same-Ratification of Board; duration; filing), all contracts authorized by Section 2-9 shall be entered into subject to ratification by the County Commission and no such contract shall extend for a period longer than one (1) year without the express authorization of the Commission. All such contracts shall be filed with the Clerk of the Commission and the Clerk of the other governmental unit involved and shall be open to public inspection.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10SAATBODUFI](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10SAATBODUFI)

Resolution No. R-563-12 adopted by the Board on July 3 2012, approving execution of a joint participation agreement between Miami-Dade County and the City of Miami to provide funding in an amount up to \$204,444.08 for the construction of drainage improvements along South Miami avenue, from SW/SE 12 street to SW/SE 10 street; and authorizing the County Mayor or County Mayor's designee to exercise the provisions therein

<http://intra/gia/matter.asp?matter=121014&file=true&yearFolder=Y2012>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

The item was brought before the Transportation and Public Works Committee on December 13, 2018 and forwarded to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

This item seeks approval to terminate a JPA between Miami-Dade County and the City of Miami which provides funding for the construction of drainage improvements along South Miami avenue from SW/SW 12 street to SW/SE 10 street for the Department of Transportation and Public Works (DTPW).

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There is no fiscal impact associated with the termination of this JPA according to the mayoral memo.

The original JPA was established to provide the City of Miami with funding for the construction of drainage improvements along South Miami avenue from SW/SE 12 street to SW/SE 10 street. However, private developers have constructed the majority of said drainage improvements as mandated by their mitigation of impact to right-of-way. The need for this JPA has become moot at this point.

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Research Notes**

**Item No. 8N2
File No. 182755**

Researcher: IL Reviewer: TD

RESOLUTION RATIFYING AND APPROVING THE OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF STRUCTURAL IMPROVEMENTS TO FIVE COUNTY OWNED BRIDGES PROVIDING FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT PROJECT AND FUND CONSTRUCTION WORK AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the execution of an Off-System Construction and Maintenance Agreement between the County and the Florida Department of Transportation (FDOT) for the construction of structural improvements to five County owned bridges providing for FDOT to construct project and fund construction work.

APPLICABLE LEGISLATION/POLICY

Section 339.135 of the Florida Statutes relates to transportation work programs and FDOT's budgeted fiscal year expenditures. http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0339/Sections/0339.135.html

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Department of Transportation and Public Works

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Transportation and Public Works Committee at its December 13, 2018 meeting.

ANALYSIS

This item seeks Board approval of an Off-System Construction and Maintenance Agreement between the County and FDOT for the construction of structural improvements to five County owned bridges and providing for FDOT to construct and fund this project. FDOT inspection conducted on October and November of last years revealed each bridge was in need of retrofit for previously undetected corrosion and weakness in the transverse post-tension bars.

The work shall include:

- Construction of reinforced concrete blocks under the cantilever portion of the bridges, over each of their caps;

FDOT shall be responsible for the Design and Construction of the Project in accordance with all applicable Federal, State laws and regulations. FDOT's design and construction standards are set forth in FDOT's guidelines, standards, and procedures in accordance with the "Terms" provision of the agreement (FM#442897-1-52-01, FM#442896-1-52-01, FM#442895-1-52-01, FM#442894-1-52-01, and FM#442893-1-52-01. page2)

The five bridges scheduled for improvement are:

1. Bridge No. 874334, N.W. 22 Avenue over Little River Canal, (Commission District 2, Jean Monestime)
2. Bridge No. 874122, NW 95 street over Little River Canal, (Commission District 2, Jean Monestime)
3. Bridge No. 874255, SW 99 Avenue over Snapper Creek Canal, (Commission District 7, Xavier L. Suarez)
4. Bridge No. 874338, SW 127 Avenue over Black Creek Canal (Commission District 8, Daniella Levine-Cava) and

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5. Bridge No. 874431, Caribbean Blvd over Bell Aire Canal (Commission District 8, Daniella Levine-Cava and Commission District 9, Dennis C. Moss).

The fiscal impact is estimated at \$315,363.00 and will be funded and built by FDOT. The County is not required to provide any funding and there is no fiscal impact for this Project

Below are screenshots of the bridges that are scheduled for improvements:

Bridge No. 874334



Bridge No. 874122



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Research Notes

Bridge No. 874255



Bridge No. 874338



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Research Notes**

Bridge No.874431



DEPARTMENTAL INPUT

The following questions were asked by Division of Policy and Legislation of OCA to the Department of Transportation and Public Works on January 11 2019, and as of the publication of this note the questions were still pending an answer.

- What is the current state of the roads within the project limits and what is the current state of traffic along the roads;
- What is the project timeline, from commencement to completion;
- How will the project impact traffic mobility in the area and is there a MOT plan to mitigate disruption;
- Was a traffic study done requiring the construction of improvements and what comparable projects are nearby, both planned and in-progress; and
- Were the residents and business owners in the surrounding area informed of the project?

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Research Notes**

**Item No. 8N3
File No. 182768**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING A JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI TO PROVIDE THE CITY OF MIAMI WITH FUNDING IN AN AMOUNT UP TO \$1,401,000.00 FOR THE CONSTRUCTION OF A ROADWAY IMPROVEMENT PROJECT AT NE 42 STREET RAILROAD CROSSING AND FEDERAL HIGHWAY/NE 4 COURT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a Joint Participation Agreement (JPA) between Miami-Dade County and the City of Miami to provide the City with funding in an amount up to \$1,401,000.00 for the construction of a roadway improvement project (the Project) along NE 42 Street railroad crossing and Federal Highway /NE 4 Court for the Department of Transportation and Public Works (DTPW).

APPLICABLE LEGISLATION/POLICY

Section 2-9 of the Code of Miami-Dade County, (Contracts with municipalities or governmental units for services-Authority of Manager), authorizes the County Manager/Mayor to enter into contracts in behalf of this County with municipalities and other governmental units for joint performance with the County or performance by any municipality or other governmental unit in behalf of the County or any function or service which the County is authorized or directed to perform under Section 11, Article VIII of the Florida Constitution, the Home Rule Charter, or any ordinance adopted by the Board.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA

Section 2-10 of the Code of Miami-Dade County, (Same-Ratification of Board; duration; filing), all contracts authorized by Section 2-9 shall be entered into subject to ratification by the County Commission and no such contract shall extend for a period longer than one (1) year without the express authorization of the Commission. All such contracts shall be filed with the Clerk of the Commission and the Clerk of the other governmental unit involved and shall be open to public inspection.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10SAATBODUFI

Resolution 18-0265 of the City of Miami, adopted by the City's Board on June 28, 2018, Authorizing the City Manager to execute a Joint Participation Agreement, in a form acceptable to the City Attorney, with Miami-Dade County ("County") for Roadway Improvements along Northeast 42nd street between Northeast 4th Avenue and Federal Highway, Office Of Capital Improvements Project No. 40-B173901; Providing for the Acceptance of Funds in the amount of one million four hundred one thousand dollars (\$1,401,000.00) from the County for the construction of a new roadway across the existing railroad crossing to allow for vehicular traffic and other roadway enhancements, including traffic signals, street lighting, sidewalks, ramps, curb and gutter, drainage improvements, and modification to the existing on-street parking, with funds to be appropriated by separate resolution.

http://miamifl.iqm2.com/Citizens/Detail_LegiFile.aspx?ID=4169&highlightTerms=18-0265

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

The item was brought before the Transportation and Public Works Committee on December 13, 2018 and forwarded to the January 23 2019 BCC with a favorable recommendation.

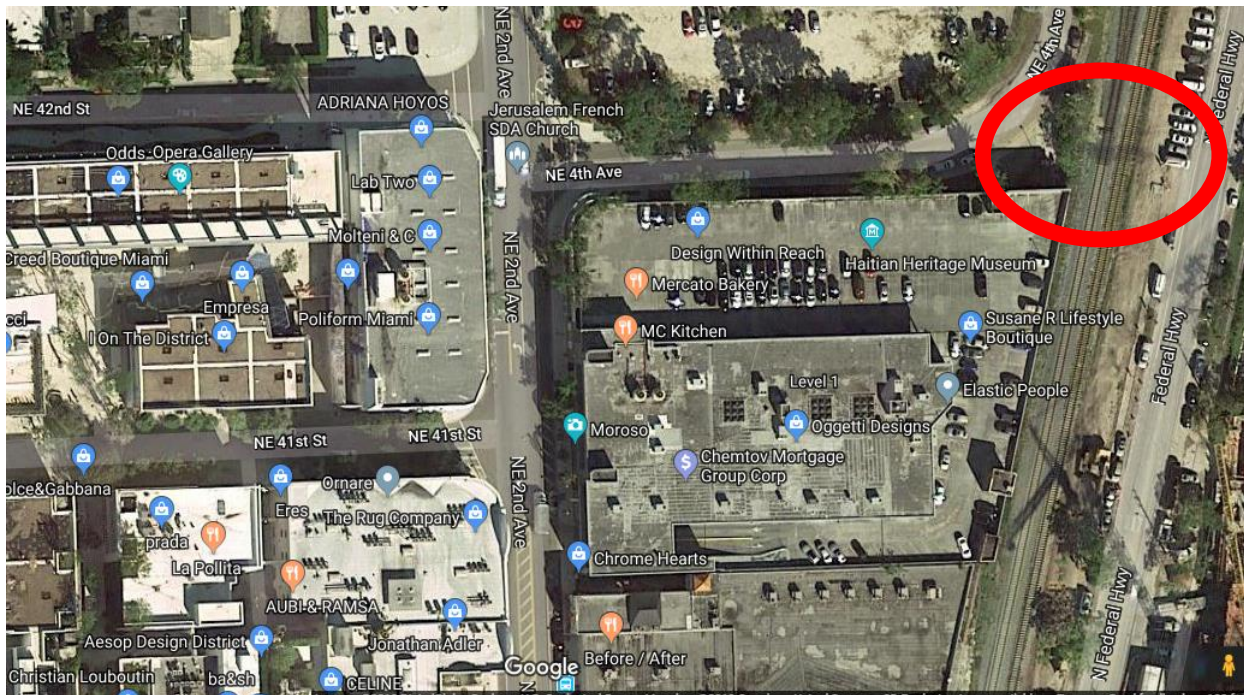
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Research Notes

ANALYSIS

This item seeks approval of a JPA between Miami-Dade County and the City of Miami to provide the City with funding in an amount up to \$1,401,000.00 for the construction of a roadway improvement project (the Project) along NE 42 Street railroad crossing and Federal Highway /NE 4 Court for the Department of Transportation and Public Works (DTPW).

The fiscal impact for the County will be \$1,401,000.00 funded from the Road Impact fee District 2 funds.

The City of Miami, and the County have been working together to expedite the construction of the project traffic capacity needs. On June 28, 2018, the City of Miami Commission adopted Resolution R-18-0265 approving the subject JPA. The City will spearhead the Public Involvement Plan during the construction of the Project to provide the property owners with information on the major work that will be performed in the area.



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Research Notes

Item No. 8N4
File No. 190057

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING SETTLEMENT AGREEMENTS BETWEEN MIAMI-DADE COUNTY AND RASIER-DC, LLC, A WHOLLY-OWNED SUBSIDIARY OF UBER TECHNOLOGIES, INC., AND LYFT, INC.; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SETTLEMENT AGREEMENTS AND TO EXERCISE RIGHTS CONFERRED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the settlement agreement with Raiser-DC, LLC in the amount of \$2,676,510 and the settlement agreement with Lyft, Inc. in the amount of \$230,050 for citations against individuals operating vehicles on their behalf without a valid for-hire license.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 627.748 defines a Transportation Network Company (TNC) as an entity operating in this state pursuant to this section using a digital network to connect a rider to a TNC driver who provides prearranged rides. A TNC is not deemed to own, control, operate, direct or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract, and is not a taxicab association or for-hire vehicle owner.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0627/0627.html

Section 2-1 of the County Code sets forth the rules of procedure of the County Commission. Generally, no item shall be placed on a commission agenda or considered by the County Commission unless each committee to which the item has been referred has forwarded the item to the commission. Exceptions to this committee requirement include quasi-judicial items, special taxing districts, consent agenda items, settlements and option to renew contracts.

<https://library.municode.com/fl/miami> -

[dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-1RUPRCOCO](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-1RUPRCOCO)

Section 31-702 of the County Code relates to transportation network entity licensure, providing that it shall be unlawful for any transportation network entity to begin operations or allow transportation network entity drivers to provide transportation network entity services upon the streets of Miami-Dade County, Florida, without first obtaining a preliminary transportation network entity license or a transportation network entity for-hire license and maintaining it current and valid pursuant to the provisions of this article. The preliminary license application fee shall be \$350.00 and the license fee shall be \$26.00 for each transportation network entity vehicle operated. Any preliminary license fee paid by a transportation network entity shall be deducted from the annual fee for the initial transportation network entity license issued to the transportation network entity.

<https://library.municode.com/fl/miami> -

[dade county/codes/code of ordinances?nodeId=PTIICOOR_CH31VEHI_ARTVIIRETRNEENDRVE_S31-702TRNEENLI](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH31VEHI_ARTVIIRETRNEENDRVE_S31-702TRNEENLI)

Ord. No. 16-42, adopted by the Board on May 3, 2016, relates to vehicles for-hire, amending Chapter 31, Article I, Section 31-77 of the County Code to prohibit the operation of vehicles transporting passengers for compensation without authorization, creating Chapter 31, Article VII of the Code regulating transportation network entities, drivers and vehicles.

<http://intra/gia/matter.asp?matter=161161&file=false&yearFolder=Y2016>

BCC Meeting: January 23, 2019
Research Notes

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Transportation and Public Works

This item does not require committee review.

ANALYSIS

This item is recommending the Board's approval of settlement agreements with Raiser-DC, LLC, a wholly-owned subsidiary of Uber Technologies, Inc. (Uber), and Lyft, Inc. (Lyft) in the amount of \$2,676,510 and \$230,050, respectively.

Both Raiser and Lyft are transportation network companies operating in the State of Florida. Both companies have drivers that have contracted with them to provide TNC services. These drivers have received numerous citations from the County related to TNC operations prior to and following the enactment of the County's ordinance regulating transportation network entities on May 3, 2016. The citations have been appealed and are still pending. Rather than endure the uncertainty of litigation and its associated expenses, the County and both Raiser and Lyft have agreed to resolve and settle the outstanding citations. A total of 4,468 citations were issued to operators of TNE vehicles from May 2014 through May 2016. The settlement agreements represent 56 percent of the total value of the citations if the County were to prevail on all claims.

The total settlement proceeds to be paid to the County is \$2,906,560. The proceeds will be allocated to the Miami Children's Museum (\$500,000), African American Museum (\$500,000), and the County Veteran's Court (\$100,000). The remaining proceeds (\$1,806,560) will be allocated to the Affordable Housing Trust Fund.

Raiser (Uber)

In exchange for the voiding, cancelation, dismissal, withdrawal or discharge of the underlying citations, Raiser or an affiliate will tender payment to the County in the amount of \$2,400,000. Additionally, Raiser or an affiliate will tender payment to the County Clerk of the Court, Traffic Division, \$65.00 per underlying citation, totaling \$276,510 in order to cover costs associated with providing notice of dismissal or voiding of citations to cited driver-partners who have contracted with Raiser and who have appeals pending. Payment shall be tendered no later than 30 days following the agreement's effective date.

Lyft

In exchange for voiding, cancelation, dismissal, withdrawal or discharge of the underlying citations, Lyft will tender in one lump sum payment by drivers with underlying citations to the County the amount of \$216,140. Additionally, Lyft or an affiliate will tender payment to the County Clerk of the Court, Traffic Division, in the amount of \$65 per underlying citation, totaling \$13,910 to cover the costs associated with providing notice of dismissal or voiding of citations to cited drivers who have contracted with Lyft and who have appeals pending. Payment shall be tendered no later than 30 days following the agreement's effective date.

ADDITIONAL INFORMATION

See link below to a Miami Herald article dated November 21, 2017 titled "Uber fought the law in Miami – and only has to pay half of its \$4 million in fines."

<https://www.miamiherald.com/news/local/community/miami-dade/article185897063.html>

BCC Meeting: January 23, 2019
Research Notes

Item No. 801
File No. 190012

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING BY TWO-THIRDS VOTE OF THE MEMBERS PRESENT A CONTRACT IN THE AMOUNT OF \$5,150,000.00 FOR SALE AND PURCHASE BETWEEN VECELLIO & GROGAN, INC. AS SELLER AND MIAMI-DADE COUNTY AS BUYER OF APPROXIMATELY 87.96 ACRES OF SURFACE AREA LOCATED APPROXIMATELY 1,040 FEET WEST OF THE FLORIDA TURNPIKE AND SOUTH OF NW 74 STREET IN UNINCORPORATED MIAMI-DADE COUNTY TO BE UTILIZED AS A STORAGE LAGOON IN CONNECTION WITH THE DISPOSAL OF CALCIUM CARBONATE RESIDUALS FROM THE JOHN E. PRESTON AND HIALEAH WATER TREATMENT PLANTS; AUTHORIZING THE EXPENDITURE OF UP TO \$35,000.00 FOR CLOSING COSTS; WAIVING SECTION 2-10.4.2 OF THE COUNTY CODE WHICH REQUIRES TWO MEMBER OF THE APPRAISAL INSTITUTE APPRAISALS FOR PURCHASES OVER \$5,000,000.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT, EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, TO TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE SAID PURCHASE AND TO ACCEPT CONVEYANCE OF PROPERTY BY WARRANTY DEED

ISSUE/REQUESTED ACTION

Whether the Board should approve by a two-thirds vote of the members present (1) a contract for sale and purchase between the County, as buyer, and Vecellio & Grogan, Inc., as seller, in the amount of \$5,150,000 plus \$35,000 for closing costs for approximately 87.96 acres of surface area adjacent to the Northwest Wellfield; and (2) a waiver of the County Code requirement relating to obtaining appraisals by two real estate appraisers holding an MAI designation where the property to be conveyed has an estimated fair market value exceeding \$5,000,000.

APPLICABLE LEGISLATION/POLICY

Section 2-8.6.5 of the County Code governs the purchase, sale and lease of real property.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

Section 2-10.4.2 of the County Code provides that whenever the County purchases, sells or is involved in a lease of real estate, whether as lessor or lessee, and the fee simple value of the property being bought or sold or the annual value of the property being leased is in excess of five million dollars, the County shall prior to consummating the purchase, sale or lease have the property appraised by two real estate appraisers holding the M.A.I. designation. Upon the written recommendation of the County Mayor, the Board may waive the provisions of this section if it finds it to be in the best interest of the County to do so.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.2APREPUSALE

Section 33-303 of the County Code sets forth the exclusive procedure for zoning in the unincorporated areas or where the County retains zoning jurisdiction in incorporated areas, providing an exception for approval of governmental facilities.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPRZOUNARWHCOREZOJUINAREXAPGOFA

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Resolution No. R-974-09, adopted by the Board on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

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

PROCEDURAL HISTORY

Prime Sponsor: Jose “Pepe” Diaz, District 12

Department/Requester: Water and Sewer

The item was amended at the December 11, 2018 Infrastructure and Utilities Committee meeting. The amendment revises the mayoral memorandum to reflect an updated appraisal amount that was received in December 2018. The item was forwarded to the Board with a favorable recommendation.

ANALYSIS

This item is requesting Board approval by a two-thirds vote of the members present to authorize: (1) a contract for sale and purchase between the County, as buyer, and Vecellio & Grogan, Inc., as seller, for \$5,150,000 plus \$35,000 in closing costs for 87.96 acres of lake property adjacent to the Northwest Wellfield; and (2) waiver of the County Code requirement that provides whenever the County purchases real estate and the fee simple value of the property being bought is in excess of five million dollars, the County shall prior to consummating the purchase, have the property appraised by two real estate appraisers holding the M.A.I. designation.

The subject property is an 87.96 acre rock mining lake located along the southeast corner of NW 74th Street and hypothetical NW 122nd Avenue in unincorporated Miami-Dade County. Currently, calcium carbonate residuals are pumped through a 16-inch sludge pipeline to the Northwest Wellfield area and are disposed of at an existing 15-foot deep sludge lagoon just north of the rock mining lake. Due to the proximity of the lake to the existing 16-inch sludge pipeline, WASD recommends the lake for purchase. The existing sludge lagoon will reach maximum capacity in two years, and the subject lake is estimated to provide the County with 100 years of disposal capacity.

Two appraisals were conducted for the subject lake. Stuart J. Lieberman, who has the MAI designation, appraised the premises on September 17, 2018 and concluded that it is worth \$5,000,000. The second appraisal was conducted on September 18, 2018 by Jeffrey Kern, who does not hold the MAI designation, and valued the property at \$3,096,000. The mayoral memorandum indicates that both individuals have quarry appraisal experience and attributes the difference between the appraisals to the method used to count the mineable reserves of limestone and sand as of the date of value. Jeffrey Kern has since revised his appraisal to account for the seller’s commitment to mitigate 12.4 acres of the subject property by moving the requirements to another site. As such, Kern’s revised appraisal is \$5,181,000.

The Folio Nos. associated with the subject property are 30-3913-000-0030 and 30-3913-000-0040. Per data found on the Property Appraiser’s website, Folio No. 30-3913-000-0030 has a market value of \$72,310, and Folio No. 30-3913-000-0040 has a market value of \$948,095. Both Folio Nos. show an existing land use of Inland Water Bodies.

ADDITIONAL INFORMATION

A federal lawsuit was filed against the seller, Vecellio & Grogan, Inc., alleging violations of the Civil Rights Act relating to unlawful race-based discriminatory treatment of the Plaintiff, Jaquinn Parrish. (See *Parrish v. Vecellio & Grogan, Inc.*, No. 15-22371-CIV-Altonaga/O’Sullivan).

**BCC Meeting: January 23, 2019
Research Notes**

**Item No. 802
File No. 182720**

Researcher: LE Reviewer: TD

RESOLUTION APPROVING THE "LUCKY START AT SUNRISE ESTATES ID #19460A" AGREEMENT FOR WATER AND SANITARY SEWER FACILITIES BETWEEN MIAMI-DADE COUNTY AND D.R. HORTON, INC., FOR A TERM OF 365 DAYS; REQUIRING D.R. HORTON, INC. TO CONTRIBUTE \$76,893.85 FOR ITS PRO-RATA SHARE OF THE COSTS OF UPGRADING COUNTY-OWNED PUMP STATION 1018; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the "Lucky Start at Sunrise Estates ID#19860a" development project agreement for Water and Sanitary Sewer Facilities between Miami-Dade County and D.R. Horton, Inc. for a term of 365 days, requiring the developer, D.R. Horton, Inc., to contribute \$76,893.85 toward the costs of the upgrades needed for County-owned Pump Station No. 1018, as the pump station will service the developer's new 72 single family home development.

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Requester/Department: Internal Services Department

During the IUC meeting on December 11, 2018, the item was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The proposed resolution is for Board approval of the "Lucky Start at Sunrise Estates ID#19860a" development project agreement for Water and Sanitary Sewer Facilities between Miami-Dade County and D.R. Horton, Inc. for a term of 365 days. The agreement requires the developer, D.R. Horton, Inc., to contribute \$76,893.85 toward the costs of the upgrades needed for County-owned Pump Station No. 1018, as the pump station will service the developer's new 72 single-family home development in District 9 (the area bounded by SW 132 Avenue to the east, SW 272 Street to the south, and the Florida Turnpike Extension to the northwest). Pursuant to the agreement, the County will provide an adequate water supply and will receive and dispose of sanitary sewage from the developer's property.

WASD agreed to allow Pump Station No. 1018 to accept the flows from D.R. Horton's development project with the condition that it contribute toward the costs of the upgrade based on the projected flow that the 72 single-family residential project would add to the pump station, as determined by hydraulic modeling performed by WASD. The total project cost to upgrade Pump Station No. 1018 is estimated to be \$1,537,877, of which D.R. Horton will pay 5 percent. The County's funding source is the Wastewater Renewal Fund.

Permitting Pump Station No. 1018 to service this development eliminates the need to construct a new public regional pump station in order to connect the project to the County's sewer system and the County's operation and maintenance associated costs. WASD determined that, if upgraded, Pump Station No. 1018 could accept the flows generated by D.R. Horton Inc.'s project as well as future development projects within the current Pump Station No. 1018 basin area.

In addition to its pro-rata share of the pump station upgrade, the developer is to pay the County water and sewer connection charges for all constructed on the developer's property.

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Research Notes

Item No. 803
File No. 182719

Researcher: IL Reviewer: TD

RESOLUTION AWARDING A DESIGN-BUILD CONTRACT TO FLORIDA LEMARK CORPORATION WITH A CONTRACT AMOUNT NOT TO EXCEED \$7,192,304.00 AND A TOTAL CONTRACT TERM OF 1056 DAYS FOR A PROJECT ENTITLED "DESIGN-BUILD SERVICES FOR THE CONSTRUCTION OF A NEW DRINKING WATER LABORATORY BUILDING AT THE ALEXANDER ORR, JR. WATER TREATMENT PLANT"- PROJECT NO. DB16-WASD-02; CONTRACT NO. 17FLC001; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS OF SECTION 2-8.2.12(4)(D) AND (E) RELATED TO ACCELERATION OF CERTAIN WATER AND SEWER DEPARTMENT CONTRACTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE DESIGN-BUILD CONTRACT AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve an award for a Design-Build contract to Florida Lemark Corporation, with a contract amount not to exceed \$7,192,304.00 and a total contract term of one thousand fifty-six (1,056) days for a project entitled "Design-Build Services for a New Drinking Water Laboratory Building at the Alexander Orr, Jr. Water Treatment Plant"- Project No. DB16-WASD-02; Contract No. 17FLC001" for the Miami-Dade Water and Sewer Department.

APPLICABLE LEGISLATION/POLICY

Chapter 287 of the Florida Statutes, Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties, will govern how each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

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

Section 2-8.2.12 (4)(d) and (e) of the County Code (WASD Consent Decree) provides for the acceleration of Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Program projects, establishes policies and procedures for the approval of contracts related to those projects, specifically the right to amend contracts and extend the time for completion of any contract for construction, materials or professional services, including waivers of liquidated damages and other compensable and/or non-compensable time extensions as well as to negotiate and settle claims, and issue settlement agreement(s) or change orders for additional work under contracts and amendments where: the change order or claim does not exceed ten percent (10%) of the base contract amount; and the contingency allowance shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and the limitations provided in (4)(e)(i) above shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural

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disaster. [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 provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations. [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)

Section 2-10.4(7) of the County Code provides, Each contract for professional services shall contain a prohibition against contingent fees, as required by Chapter 287, Florida Statutes. For the breach or violation of this provision the County Commission may terminate the agreement without liability or, at its discretion, deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration. [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)

Ordinance 14-79 (Sea Level Rise), adopted on September 3, 2014, amending Section 2-1 of the Code of Miami-Dade County, Florida, to require that in all agenda items related to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered; providing severability, inclusion in the code, and an effective date. <http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

Implementation Order (I.O.) 8-8 (Sustainable Buildings Program), adopted on December 4, 2007, authorizing approval of Implementing Order 8-8: establishing guidelines to further the County's sustainable buildings program initiative; and authorizing the County Mayor or his designee to exercise any and all other rights conferred therein. <http://www.miamidade.gov/govaction/matter.asp?matter=080263&file=true&fileAnalysis=false&yearFolder=Y2008>

Implementation Order (I.O.) 3-41, (SBE Program), establishes procedures related to the Miami-Dade County Small Business Enterprise Program. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-41.pdf>

Implementing Order (I.O.) 3-32, (Small Business Enterprise Architecture And Engineering Program): It is the policy of Miami-Dade County that not less than 10% of the County's total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E's certified under the CBE-A/E ordinance. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

Implementing Order (I.O.) 3-22, (Small Business Enterprise Construction Services Program): Except where Federal or State laws or regulations mandate to the contrary, this Implementing Order governs construction services (including design build, alteration, installation, painting, maintaining or repairing a public improvement), funded in whole or in part by County funds for all Miami-Dade County departments and agencies. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO03-22.pdf>

Implementing Order (I.O.) 3-32 (Small Business Enterprise Architecture and Engineering Program) Except where federal or state laws or regulations mandate to the contrary, this Implementing Order applies to all project specific awards, and multiple project contracts as mandated in the CBE-A/E ordinance. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

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Resolution No. R-187-12, adopted on February 21, 2012, Directs the Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-281-14, adopted on March 18, 2014, approving Mayor's recommendations relating to proposed Consent Decree with federal and state environmental enforcement agencies and authorizing the Mayor and County Attorney to modify proposed Consent Decree and advise the Court accordingly.

<http://www.miamidade.gov/govaction/matter.asp?matter=140568&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-421-16, adopted on May 17, 2016, direction the Mayor or Mayor's designee to attach to all items recommending Design and/or Construction Contract Awards of \$1,000,000/00 or greater a list of all County Contracts awarded in the previous three years to the recommended contractor and a summary of County Evaluations of the recommended contractors work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Water & Sewer Department

The item was brought before the Infrastructure and Utilities Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

This item is requesting Board approval of an award for a Design-Build contract to Florida Lemark Corporation for a contract amount not to exceed \$7,192,304.00 and a total contract term of one thousand fifty-six (1,056) days for a project entitled "Design-Build Services for the Construction of the New Drinking Water Laboratory Building at the Alexander Orr, Jr. Water Treatment Plant."

The Fiscal Impact of this project is not to exceed \$7,192,304.00 with a term of one thousand fifty-six (1,056) calendar days. The base bid contract price is a lump sum of \$5,843,770.00 not inclusive of the contingency allowance (\$335,939.00) and dedicated allowance (\$1,012,595.00). The timeline for this project is 1,056 calendar days from the issuance of the notice to proceed. The district impacted is Commission District 7, represented by Commissioner Xavier L. Suarez.

The Request for Design-Build Services (RDBS) was advertised on July 5, 2016. Two proposals were received in response to the solicitation from the firms Florida Lemark Corporation and Lemartec Corporation. Because only two responses were received, the submittal deadline was extended twice, from August 10, 2016 to August 24, 2016, and again from August 24, 2016 to September 7, 2016. Due to the two extensions that were given, an analysis of market availability was not performed. Please note that pursuant to the Miami-Dade County ISD internal procedures acquisition of A/E and Design-Build services Section 2 (Advertising) subsection 7 (Receipt of less than 3 proposals, page 19/20), when ISD receives less than three bid proposals a market analysis should be conducted OR the extension of the submittal date should be executed. In this immediate case the extension of the submittal date was executed.

The purpose of this project is to provide adequate working capacity and meet current laboratory design standards. This new water laboratory aims to mitigate the vulnerability of cross-contamination from generators, treatment chemicals and solvents which all interfere with instrument operations in the present laboratory. Today's state-of-the-art lab instruments require an ample, stand-alone laboratory located away from potential chemical contamination sources. This project is expected to accomplish this goal.

The Step 1 "Evaluation of Qualifications" meeting took place on January 31, 2017 where the Competitive Selection Committee (CSC) evaluated and ranked the firms and voted to shortlist both firms.

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On June 14, 2017, Lemartec Corporation, one (1) of the two (2) short-listed firms, officially withdrew from participation on this solicitation. The reason stated in the letter was because Lemartec could not responsibly respond to the solicitation schedule due to their need to temporarily re-deploy their resources for the next 60-90 days.

The Step 2 “Technical and Price Proposal” meeting was held on October 5, 2017. The CSC evaluated Florida Lemark Corporation and recommended that the County Mayor approve negotiations with this firm.

Florida Lemark Corporation, Inc. shall perform the following but not limited to:

- Construction of a parking lot for thirty-two (32) vehicles, six (6) county cars and three (3) golf carts with canopy-covered and battery charging stations, landscaping and amenities. Constructing laboratory spaces with laboratory cabinets and laboratory sinks;
- Relocating equipment from existing laboratory and installing WASD supplied laboratory refrigerators and equipment;;
- Coordinating miscellaneous utilities for laboratory use;
- Providing utility systems including power, lighting, telephone, voice, and data;
- Negotiating and coordinating with Florida Power and Light;
- Providing ventilation special heating, general air conditioning needs and separate air conditioning systems;
- Constructing offices, storage areas, men’s and women’s lavatories, dress/undressing area, locker room area, lunch room and a standard preparation storage area;
- Providing mechanical air conditioning capacity;
- Providing two (2) mass-spectrometer gas-chromatograph laboratories;
- Providing a standard preparation storage area;
- Providing three (3) wet chemistry general laboratories;
- Providing asphaltic pavement, concrete sidewalks, concrete curbs and gutters, trees, landscaping, sod, pavement markings, traffic and directional signs;
- Designing and constructing a sewage pump station;
- Designing and constructing connections to water and sewer for the building; and
- Providing all other appurtenant and miscellaneous items and work for a complete and fully functional installation of a Drinking Water Laboratory located at the Alexander Orr, Jr. Water Treatment Plant.

The design and construction services rendered by Florida Lemark Corporation shall result in a complete, functional and operable Drinking Water Laboratory to house a total staff of twenty (20) people and twelve (12) visitors.

The following SBE measures were set for this project:

SBE-Architectural/Engineering 14.98 % I.O. 3-32

SBE – Goods and Services 2.58% I.O. 3-41

SBE- Construction 15.02% I.O. 3-22

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The Division of Policy and Legislation performed a search of the technical certifications on the Business Management Workforce System on December 6, 2018. The SBE A&E firms found are listed in the table below:

Technical Certification	Description	SBE A/E Firms
6.03 (Prime)	Water and Sanitary Sewer Systems – Water and Sanitary Sewage Treatment Plants	The Division of Policy and Legislation found 22 local SBE-A&E certified firms on the Business Management Workforce System under the aforementioned Technical Certification
14.00 (Other)	Architecture	None
9.01 (Other)	General Structural Engineering	None
9.02 (Other)	Soils, Foundations and Materials Testing – Geotechnical and Materials Engineering Services	The Division of Policy and Legislation found 1 local SBE-A&E certified firms were found on the Business Management Workforce System under the aforementioned Technical Certification
9.03	Soils, Foundations and Materials Testing - Concrete and Asphalt Testing Services	The Division of Policy and Legislation found 4 local SBE-A&E certified firms on the Business Management Workforce System under the aforementioned Technical Certification
9.04 (Other)	Soils, Foundations and Materials Testing – Non-Destructive Testing and Inspections	The Division of Policy and Legislation found 3 local SBE-A&E certified firms on the Business Management Workforce System under the aforementioned Technical Certification
10.02 (Other)	Environmental Engineering – Environmental Geology Services	The Division of Policy and Legislation found 4 local SBE-A&E certified firms on the Business Management Workforce System under the aforementioned Technical Certification
10.05 (Other)	Contamination Assessment and Monitoring	The Division of Policy and Legislation found 15 local SBE-A&E certified firms on the Business Management Workforce System under the aforementioned Technical Certification
10.06 (Other)	Environmental Engineering –	The Division of Policy and Legislation found 7 local SBE-A&E certified firms

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	Remedial Action Plan Design	were found on the Business Management Workforce System under the aforementioned Technical Certification
10.07 (Other)	Environmental Engineering – Remedial Action Plan Implementation/ Operation/ Maintenance	The Division of Policy and Legislation found 6 local SBE-A&E certified firms were found on the Business Management Workforce System under the aforementioned Technical Certification
11.00 (Other)	General Structural Engineering	None
12.00 (Prime)	General Mechanical Engineering	None
13.00 (Prime)	General Electrical	None
15.01 (Other)	Surveying and Mapping-Land Surveying	The Division of Policy and Legislation found 15 local SBE-A&E certified firms were found on the Business Management Workforce System under the aforementioned Technical Certification
15.03 (Other)	Surveying and Mapping - Underground Utility Location	The Division of Policy and Legislation found 8 local SBE-A&E certified firms were found on the Business Management Workforce System under the aforementioned Technical Certification
16.00 (Prime)	General Civil Engineering	None
17.00 (Prime)	Engineering Construction Management	None
18.00	Architectural Construction Management	None
19.09	Value Analysis and Life – Cycling Costing- Soils, Foundations and Materials Testing	The Division of Policy and Legislation found 2 local SBE-A&E certified firms were found on the Business Management Workforce System under the aforementioned Technical Certification
20.00	Landscape Architecture	None
22.00	Americans Disability Act Title II Consultant	None

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The Division of Policy and Legislation found approximately 97 local SBE's that are eligible for sub-contracting under their respective technical certifications.

NOTE: Pursuant to Resolution No. R-421-16 a Performance Record verification was conducted by the Division of Policy and Legislation in the Capital Improvements Information System (CIIS) on January 3 2019: There are 0 performance evaluations in the Capital Improvements Information Systems Database. The two Projects listed on the Firm History Report were contracted by Non-Departmental entities for Dolphin Stadium. Therefore, no evaluations are listed in the Internal Services Department's CIIS database for Florida Lemark Corporation. This vendor has never been awarded a County contract, which is why the item requires Board approval pursuant to the County's Acceleration Ordinance.

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**Item No. 804
File No. 182998**

Researcher: IL Reviewer: TD

RESOLUTION RATIFYING ACTION 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 OF A CONSTRUCTION CONTRACT FOR CD 2.08 SECONDARY CLARIFIERS PLANT 2, CD 2.10 RETURN SLUDGE PS PLANT 2, AND CD 2.01(3) ELECTRICAL IMPROVEMENTS, CONTRACT NO. S-892 TO KIEWIT INFRASTRUCTURE SOUTH CO. IN THE AMOUNT OF \$22,237,250.00; 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 award of a construction contract for Consent Decree Project No. 2.08 Secondary Clarifiers Plant 2, Consent Decree Project No. 2.10 Return Sludge PS Plant 2, and Consent Decree Project No. 2.01(3) Electrical Improvements, both located at the Central District Wastewater Treatment Plant (CDWWTP) Contract No. S-892 to Kiewit Infrastructure South Co. in the amount of \$22,237,250.00 for a total contract term of 1,980 days for the Miami-Dade Water and Sewer Department (WASD).

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Chapter 287.055 governs the acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

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

Section 2-8.2.12(4)(d) and (e) of the County Code (WASD Consent Decree) provides for the acceleration of Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Program projects, establishes policies and procedures for the approval of contracts related to those projects, specifically the right to amend contracts and extend the time for completion of any contract for construction, materials or professional services, including waivers of liquidated damages and other compensable and/or non-compensable time extensions as well as to negotiate and settle claims, and issue settlement agreement(s) or change orders for additional work under contracts and amendments where: the change order or claim does not exceed ten percent (10%) of the base contract amount; and the contingency allowance shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and the limitations provided in (4)(e)(i) above shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural disaster.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR

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Section 2-10.4 of the County Code provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-10.4(7) of the County Code provides, Each contract for professional services shall contain a prohibition against contingent fees, as required by Chapter 287, Florida Statutes. For the breach or violation of this provision the County Commission may terminate the agreement without liability or, at its discretion, deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Ordinance 14-79 (Sea Level Rise), adopted on September 3, 2014, amending Section 2-1 of the Code of Miami-Dade County, Florida, to require that in all agenda items related to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered; providing severability, inclusion in the code, and an effective date.

<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

Ordinance No. 14-77, adopted by the Board on September 3, 2014, created Section 2-8.2.12 of the Code of Miami-Dade County, and delegated to the County Mayor the authority to advertise, award, amend and negotiate contracts for goods and services, construction and professional services for the Miami-Dade Water and Sewer Department, to extend contract duration, to execute change orders and to settle claims without need for prior Board approval.

<http://intra/gia/matter.asp?matter=141981&file=false&yearFolder=Y2014>

Administrative Order 3-39 establishes the standard procedures for user departments to implement, classify, track, monitor and report capital construction projects unless specifically exempted by State or federal law.

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

Implementation Order (I.O.) 8-8 (Sustainable Buildings Program), adopted on December 4, 2007, authorizing approval of Implementing Order 8-8: establishing guidelines to further the County's sustainable buildings program initiative; and authorizing the County Mayor or his designee to exercise any and all other rights conferred therein.

<http://www.miamidade.gov/govaction/matter.asp?matter=080263&file=true&fileAnalysis=false&yearFolder=Y2008>

Implementation Order (I.O.) 3-41, (SBE Program), establishes procedures related to the Miami-Dade County Small Business Enterprise Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-41.pdf>

Implementing Order (I.O.) 3-32, (Small Business Enterprise Architecture And Engineering Program): It is the policy of Miami-Dade County that not less than 10% of the County's total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E's certified under the CBE-A/E ordinance.

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

Implementing Order (I.O.) 3-22, (Small Business Enterprise Construction Services Program): Except where Federal or State laws or regulations mandate to the contrary, this Implementing Order governs construction services (including design build, alteration, installation, painting, maintaining or repairing a public improvement), funded in whole or in part by County funds for all Miami-Dade County departments and agencies.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO03-22.pdf>

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Implementing Order (I.O.) 3-32 (Small Business Enterprise Architecture and Engineering Program) Except where federal or state laws or regulations mandate to the contrary, this Implementing Order applies to all project specific awards, and multiple project contracts as mandated in the CBE-A/E ordinance.

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

Resolution No. R-187-12, adopted on February 21, 2012, Directs the Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-281-14, adopted on March 18, 2014, approving Mayor's recommendations relating to proposed Consent Decree with federal and state environmental enforcement agencies and authorizing the Mayor and County Attorney to modify proposed Consent Decree and advise the Court accordingly.

<http://www.miamidade.gov/govaction/matter.asp?matter=140568&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-421-16, adopted on May 17, 2016, direction the Mayor or Mayor's designee to attach to all items recommending Design and/or Construction Contract Awards of \$1,000,000/00 or greater a list of all County Contracts awarded in the previous three years to the recommended contractor and a summary of County Evaluations of the recommended contractors work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Water and Sewer

The proposed resolution has no procedural history.

ANALYSIS

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor to award contracts for funded projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval, but subject to ratification by the Board.

The Miami-Dade Water and Sewer Department Consent Decree Work consists of all projects needed to comply with the Consent Decree approved on April 9, 2014 by the United States District Court for the Southern District of Florida. The Miami-Dade Water and Sewer Department Capital Improvement Program consists of only those projects approved by the Board as part of the Multi-Year Capital Plan.

The proposed resolution seeks the Board's ratification of the award of a construction contract for Consent Decree Project No. 2.08 Secondary Clarifiers Plant 2, Consent Decree Project No. 2.10 Return Sludge PS Plant 2, and Consent Decree Project No. 2.01(3) Electrical Improvements, Contract No. S-892 to Kiewit Infrastructure South Co. in the amount of \$22,237,250.00 for a total contract term of 1,980 days for the Miami-Dade Water and Sewer Department (WASD).

The Fiscal Impact to the County for the implementation of this contract will be of \$22,237,250.00, and will impact Commission District 7, Xavier L. Suarez. The funding sources for this project are: "Future WASD Revenue Bonds, WASD Revenue Bonds Sold, and Wastewater Renewal Fund, "Project No.964120 Wastewater Treatment Plants-Consent Decree Projects in the adopted 2018/2019 Budget book".

This project is one in a series of projects processed under Section 2-8.2.12 of the Code, which governs the Miami-Dade County Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance. Scope of services

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includes but is not limited to, furnishing all material, labor, and equipment necessary for the construction of the Return Activated Sludge (RAS) Pump Stations No.(s) 1 through 5, electrical building RAS No.(s) 1&2, Electrical Buidling RAS No/(s) 3,4,&5 and the Odorizing Control Building at the CDWWTP. The scope also covers rehabilitation of the RAS Pump Stations and generally includes the replacement and/or refurbishment of existing physical equipment and the construction of a the new Electrical Buildings and Substations 9 and 10 to house proposed motor control centers, variable frequency drives and other electrical components and the installation of new air conditioning systems, air filtration units, ventilation supply, exhaust fans, and associated ductwork.

On May 21, 2013, the Board of County Commissioners authorize the execution of a Consent Decree between Miami-Dade County, the United States of America, the State of Florida and the Florida Department of Environmental Protection, for improvements to the County's wastewater collection and treatment system. WASD determined that the sludge pumping capacity had to be restored at the Secondary Clarifiers at Plant 2 and the RAS Pump Station at Plant 2. These areas at Plant 2 in the CDWWTP were identified to be in need of major upgrades. Improvements to the facilities are required pursuant to the Consent decree from the U.S. Environmental Protection Agency (U.S. EPA), Department of Justice (DOJ) and the Florida Department of Environmental Protection (FDEP), Case No 1:12-cv-24400-FAM. Loss of return sludge pumping capacity will result in a failure of the aeration process and may cause effluent limit violations.

On June 5, 2018, in response to WASD's competitive solicitation for Project No. S-892, the department received two bids, one bid from Poole & Kent Company of Florida and the other received from Kiewit Infrastructure South, Co. being the lowest bid received.

Bid Tabulation

Firm	Base Bid	Total Bid
Poole & Kent Company of Florida	\$20,300,000	\$23,339,000
Kiewit Infrastructure South	\$19,325,000	\$22,237,250

WASD's Engineer of Record (EOR) is Stantec Consulting Inc., (Stantec) reviewed the bid to evaluate if Kiewit Infrastructure South, Co. met the minimum construction experience and if the proposal form bid prices are generally aligned with the EOR's Opinion of Probable Construction Cost (OPCC).and the estimated bid price. Stantec concluded the Kiewit Infrastructure South's total price is \$2,012,620 (9.4%) less than the OPCC and the total evaluated bid price is \$2,192,370 (9.3%) less than the OPCC. The project's Engineer of Record, Stantec, Inc., advised that Kiewit Infrastructure South, Co was lowest bidder and should be awarded the contract. Additionally, the Small Business Development Division of the Internal Services Department found Kiewit Infrastructure South, Co to be in compliance with contract measures. Since Kiewit Infrastructure South, Co, provided the lowest bid, WASD recommends that it be awarded the project.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Kiewit Infrastructure South**, has an active status as a Florida Profit Corporation and first filed and registered on November 10, 1976. The principal address is registered as 3555 Farnam Street, Omaha, NE 68131. Its registered agent is CT Corporation System, 1200 S. Pine Island Road, Plantation, FL 33324.

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Kiewit Infrastructure South list of sub-consultants as well as the firms that will satisfy the SBE measures:

Sub	Address	SBE Construction Measure 8.65%	SBE Goods and Services 1.44%
A-1 Duran Roofing Inc	8095 NW 64 Street, Miami, FL 33166	N/A	N/A
Barney's Pumps, Inc	12080 NW 40th Street, Coral Springs, FL 33065	N/A	N/A
BG Group, LLC	15560 Lyons Road Delray Beach, FL 33446	N/A	N/A
Brown & Brown Electric, Inc	1150 S. W. 30th Avenue Pompano Beach, FL 33069	N/A	N/A
Corcel Corp.	2461 NW 23 STREET MIAMI, FL 33142	N/A	1.44%
Core & Main, LP	10810 NW 92nd Terrace #107, Miami, FL 33178	N/A	N/A
Cypress Construction & Coating, Inc.	216 Waldo Ave North Unit 1 Lehigh Acres, FL 33971	N/A	N/A
Emerson Automation Solutions	8100 West Florissant Ave ST. Louis, MO 63136		
Ferguson Waterworks (Inactive on Sunbiz)	9692 Florida Mining Blvd W. Jacksonville, FL 32257	N/A	N/A
Johnson Hardware Company	Unverifiable on Sunbiz	N/A	N/A
MB Drilling Foundations Corp.	1920 N Commerce Parkway, Suite # 6, Weston, FL 33326	N/A	N/A
Spancrete Southeast, Inc.	400 Deer Trail East Sebring, FL 33876	N/A	N/A
Sunshine State Air Conditioning Inc.	4960 N.W. 165 ST. B-11 Miami, FL 33014	4.12%	N/A
Transamerica Construction Co.	234 NE 34th St. Miami, FL 33137	4.53%	N/A
Thompson Pumps & Mfg. Co. Inc.	15944 Assembly Loop, Jupiter, FL 33478	N/A	N/A

The Division of Policy and Legislation of OCA conducted a review of the following commodity codes: 63000 (Paint, Protective Coatings, Varnish, Wallpaper, and related Products, 236220 (Commercial and Institutional Building Construction), 238210 (Electrical Contractors and Other Wiring Installation Contractors) 238220 (Plumbing, Heating and Air-Conditioning Contractors and 238910 (Site Preparation Contractors) in the Business Management Workforce System on January 17, 2019. Approximately 508 SBE Firms were identified under the aforementioned commodity codes.

The Division of Policy and Legislation of OCA conducted a review of the Capital Improvement Information System on January 17, 2019, Pursuant to Resolution No. R-421-16 and found that Kiewit Infrastructure South had an average rating of 3.8 out 4.0.

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This firm has been awarded \$12,791,348.47 according to the firm history report from September 13, 2013 through September 13, 2018. Please note that this firm is concurrently being awarded a contract under Project No. S-895 for \$50,478,067.00 under the consent decree.

ADDITIONAL INFORMATION

Kiewit Infrastructure South performed condition assessment, design, and construction to rehabilitate a portion of the existing Magnolia Trunk Sewer in the Cities of Fountain Valley, Westminster and Garden Grove, CA.

<https://www.kiewit.com/projects/waterwastewater/wastewater/magnolia-trunk-sewer-rehabilitation/>

Consent Decree entered into between the United States of America, the State of Florida Department of Environmental Protection and the State of Florida v. Miami-Dade County, Florida, Case No. 1:12-cv-24400-FAM

<https://www.epa.gov/sites/production/files/2013-08/documents/miami-dade-cd.pdf>

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**Item No. 805
File No. 182996**

Researcher: IL Reviewer: TD

RESOLUTION RATIFYING ACTION 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 OF A CONSTRUCTION CONTRACT FOR CD 3.02(2) NORTH DISTRICT WASTEWATER TREATMENT PLANT PRIMARY CLARIFIERS AND ODOR CONTROL UPGRADES, CONTRACT NO. S-895 TO KIEWIT INFRASTRUCTURE SOUTH CO. IN THE AMOUNT OF \$50,478,067.00; 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 award of a construction contract for Consent Decree Project No. 3.02(2) North District Wastewater Treatment Plant Primary Clarifiers and Odor Control Upgrades, Contract No. S-895 to Kiewit Infrastructure South Co. in the amount of \$50,478,067.00 for a total contract term of 1,199 days for the Miami-Dade Water and Sewer Department (WASD).

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Chapter 287.055 governs the acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

<https://library.municode.com/fl/miami> -

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

Section 2-8.2.12(4)(d) and (e) of the County Code (WASD Consent Decree) provides for the acceleration of Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Program projects, establishes policies and procedures for the approval of contracts related to those projects, specifically the right to amend contracts and extend the time for completion of any contract for construction, materials or professional services, including waivers of liquidated damages and other compensable and/or non-compensable time extensions as well as to negotiate and settle claims, and issue settlement agreement(s) or change orders for additional work under contracts and amendments where: the change order or claim does not exceed ten percent (10%) of the base contract amount; and the contingency allowance shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and the limitations provided in (4)(e)(i) above shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural disaster.

<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 2-8.5 of the County Code Provides definitions, establishes a preference for local businesses and locally headquartered businesses, establishes exceptions, and allows for reciprocity agreements.

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Section 2-10.4 of the County Code provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-10.4(7) of the County Code provides, Each contract for professional services shall contain a prohibition against contingent fees, as required by Chapter 287, Florida Statutes. For the breach or violation of this provision the County Commission may terminate the agreement without liability or, at its discretion, deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Ordinance 14-79 (Sea Level Rise), adopted on September 3, 2014, amending Section 2-1 of the Code of Miami-Dade County, Florida, to require that in all agenda items related to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered; providing severability, inclusion in the code, and an effective date.

<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

Ordinance No. 14-77, adopted by the Board on September 3, 2014, created Section 2-8.2.12 of the Code of Miami-Dade County, and delegated to the County Mayor the authority to advertise, award, amend and negotiate contracts for goods and services, construction and professional services for the Miami-Dade Water and Sewer Department, to extend contract duration, to execute change orders and to settle claims without need for prior Board approval.

<http://intra/gia/matter.asp?matter=141981&file=false&yearFolder=Y2014>

Administrative Order 3-39 establishes the standard procedures for user departments to implement, classify, track, monitor and report capital construction projects unless specifically exempted by State or federal law.

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

Implementation Order (I.O.) 8-8 (Sustainable Buildings Program), adopted on December 4, 2007, authorizing approval of Implementing Order 8-8: establishing guidelines to further the County's sustainable buildings program initiative; and authorizing the County Mayor or his designee to exercise any and all other rights conferred therein.

<http://www.miamidade.gov/govaction/matter.asp?matter=080263&file=true&fileAnalysis=false&yearFolder=Y2008>

Implementation Order (I.O.) 3-41, (SBE Program), establishes procedures related to the Miami-Dade County Small Business Enterprise Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-41.pdf>

Implementing Order (I.O.) 3-32, (Small Business Enterprise Architecture And Engineering Program): It is the policy of Miami-Dade County that not less than 10% of the County's total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E's certified under the CBE-A/E ordinance.

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

Implementing Order (I.O.) 3-22, (Small Business Enterprise Construction Services Program): Except where Federal or State laws or regulations mandate to the contrary, this Implementing Order governs construction services (including design build, alteration, installation, painting, maintaining or repairing a public improvement), funded in whole or in part by County funds for all Miami-Dade County departments and agencies.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO03-22.pdf>

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Implementing Order (I.O.) 3-32 (Small Business Enterprise Architecture and Engineering Program) Except where federal or state laws or regulations mandate to the contrary, this Implementing Order applies to all project specific awards, and multiple project contracts as mandated in the CBE-A/E ordinance.

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

Resolution No. R-187-12, adopted on February 21, 2012, Directs the Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-281-14, adopted on March 18, 2014, approving Mayor's recommendations relating to proposed Consent Decree with federal and state environmental enforcement agencies and authorizing the Mayor and County Attorney to modify proposed Consent Decree and advise the Court accordingly.

<http://www.miamidade.gov/govaction/matter.asp?matter=140568&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-421-16, adopted on May 17, 2016, direction the Mayor or Mayor's designee to attach to all items recommending Design and/or Construction Contract Awards of \$1,000,000/00 or greater a list of all County Contracts awarded in the previous three years to the recommended contractor and a summary of County Evaluations of the recommended contractors work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Water and Sewer

The proposed resolution has no procedural history.

ANALYSIS

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor to award contracts for funded projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval, but subject to ratification by the Board.

The Miami-Dade Water and Sewer Department Consent Decree Work consists of all projects needed to comply with the Consent Decree approved on April 9, 2014 by the United States District Court for the Southern District of Florida. The Miami-Dade Water and Sewer Department Capital Improvement Program consists of only those projects approved by the Board as part of the Multi-Year Capital Plan.

The proposed resolution seeks the Board's ratification of the award of a construction contract for Consent Decree Project No. 3.02(2) North District Wastewater Treatment Plant Primary Clarifiers and Odor Control Upgrades, Contract No. S-895 to Kiewit Infrastructure South Co. in the amount of \$50,478,067.00 for a total contract term of 1,199 days for the Miami-Dade Water and Sewer Department (WASD).

The Fiscal Impact to the County for the implementation of this contract will be of \$50,478,057.00, and will impact Commission District 4, Sally A. Heyman. The funding sources for this project are: "Future WASD Revenue Bonds, WASD Revenue Bonds Sold, and Wastewater Renewal Fund, "Project No.964120 Wastewater Treatment Plants-Consent Decree Projects in the adopted 2018/2019 Budget book".

This project is one in a series of projects processed under Section 2-8.2.12 of the Code, which governs the Miami-Dade County Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance. Scope of services

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includes, but is not limited to, furnishing all materials, labor, and equipment necessary for the rehabilitation of the Primary Clarifiers, including new flat panel aluminum covers, skimmer and scum collection mechanisms, pinon drive and motor, odor control, primary sludge pump stations, electrical work, instrumentation, monitoring and control panels, process mechanical, air conditioning, exhaust fans and duct work, construction of a new sodium hydroxide storage and fee facility, yard piping and cured-in-place pipe lining of large diameter reinforced concrete pipe at the North District Wastewater Treatment plant.

On May 21, 2013, the Board of County Commissioners authorize the execution of a Consent Decree between Miami-Dade County, the United States of America, the State of Florida and the Florida Department of Environmental Protection, for improvements to the County's wastewater collection and treatment system. WASD determined that the North District Primary Clarifiers and Odor Control System require repairs and upgrades. The Compliance date for Consent Decree project 3.02(2) is April 18, 2021. Improvements to the facilities are required pursuant to the Consent decree from the U.S. Environmental Protection Agency (U.S. EPA), Department of Justice (DOJ) and the Florida Department of Environmental Protection (FDEP), Case No 1:12-cv-24400-FAM. Loss of primary clarifier capacity would increase workload of the secondary treatment process and could result in effluent limit violations. Additionally, complaints of nuisance odors by nearby residents could result from a lack of properly functioning of the odor control systems. This project aims to restore the loss of digestion capacity at the North District Wastewater Treatment Plant.

On May 21, 2018, in response to WASD's competitive solicitation for Project No. S-895, the department received five bids, the respondents were 1. Poole & Kent Company of Florida 2. Kiewit Infrastructure South, Co., 3. PCL Construction, 4. Daniel O'Connell's Sons and 5. Tutor Perini Building Corp/WDF. Kiewit Infrastructure South, Co., was the lowest bid received. The top two lowest firms were within 5% of each other and both were claiming local preference in their bid submittal. Therefore, in accordance with Section 2-8.5 of the County Code, a best and final offer (BAFO) occurred on May 31, 2018. The project's Engineer of Record, CDM Smith, Inc., advised that Kiewit Infrastructure South Co. was lowest bidder and should be awarded the contract. Additionally, the Small Business Development Division of the Internal Services Department found Kiewit Infrastructure South Co. to be in compliance with contract measures. Since Kiewit Infrastructure South Co, provided the lowest bid, WASD recommends that it be awarded the project. See a summary of the bid proposals below.

Bid submittals (May 21, 2018)

Firm	Base Bid
Kiewit Infrastructure South	\$46,346,160.00
Poole & Kent Company of Florida	\$47,870,000.00
PCL Construction	\$50,614,525.00
Daniel O'Connell's Sons	\$51,645,100.00
Tutor Perini Building Corp/WDF	\$53,405,560.00

BAFO bid submittals (May 31, 2018)

Firm	Base Bid
Kiewit Infrastructure South	\$44,298,290.00
Poole & Kent Company of Florida	\$44,456,000.00

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According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Kiewit Infrastructure South**, has an active status as a Florida Profit Corporation and first filed and registered on November 10, 1976. The principal address is registered as 3555 Farnam Street, Omaha, NE 68131. Its registered agent is CT Corporation System, 1200 S. Pine Island Road, Plantation, FL 33324.

Kiewit Infrastructure South list of sub-consultants as well as the firms that will satisfy the SBE measures:

Sub	Address	SBE Construction Measure 12.01%	SBE Goods and Services 0.00%
A-I Duran Roofing Inc	8095 NW 64 Street, Miami, FL 33166	N/A	N/A
ACME Construction Supply Co.	Unable to locate on Sunbiz	N/A	N/A
Almar Metals, Inc.	1735 Arredondo Grant Road, Deleon Springs, FL 32130	N/A	N/A
Bearing Point (Inactive in Sunbiz under this name)	100 Crescent Court Suite 700 Dallas, TX 75201	12.01%	N/A
BG Group, LLC	15560 Lyons Road Delray Beach, FL 33446	N/A	N/A
Brown & Brown Electric, Inc.	1150 S. W. 30th Avenue Pompano Beach, FL 33069	N/A	N/A
Carl Eric Johnson Inc.	1725Q Macleod Drive Lawrenceville, GA 30043	N/A	N/A
CST Industries, Inc/Heyward	Unable to locate on Sunbiz	N/A	N/A
Cypress Construction & Coating, Inc.	216 Waldo Ave North Unit 1 Lehigh Acres, FL 33971	N/A	N/A
DC Green, LLC	840 Jupiter Park Drive # 102 Jupiter, FL 33458	N/A	N/A
Emerson Automation Solutions	8100 West Florissant Ave ST. Louis, MO 63136	N/A	N/A
Fisk Electric Company	10855 Westview Drive Houston, TX 77043	N/A	N/A
FJ Nugent, Inc. & Associates	411 Wylly Avenue Sanford, FL 32773	N/A	N/A
Indusco Environmental Services, Inc.	Unable to locate on Sunbiz		
Johnson Hardware Company	Unable to locate on Sunbiz	N/A	N/A
LMS Southeast, Inc	1810 Lakedge Drive Middleburg, FL 32068	N/A	N/A
Millenium Steel, Inc.	2455 Hollywood Blvd. Suite 209 Hollywood, FL 33020	N/A	N/A
Moss Kelly, Inc.	Unable to locate on Sunbiz	N/A	N/A

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Ozinga Ready Mix Concrete Inc.	19001 Old Lagrange Road, Suite 300 Mokena, IL 60448	N/A	N/A
Spiniello Companies, Inc.	Unable to locate on Sunbiz	N/A	N/A
Trenwa, Inc.	1419 Alexandria Pike FT Thomas, KY 41075	N/A	N/A
Triple Nickel Paving, Inc.	1300 NW 18th Street Pompano Beach, FL 33069	N/A	N/A
Westech Engineering, Inc	3665 South West Temple Salt Lake City, UT 84115	N/A	N/A

The Division of Policy and Legislation of OCA conducted a review of the following commodity codes: 615 (Office Supplies), 63000 (Paint, Protective Coatings, Varnish, Wallpaper, and related Products), 237110 (Water and Sewer Line and Related Structures Construction), 238210 (Electrical Contractors and Other Wiring Installation Contractors) 238220 (Plumbing, Heating and Air-Conditioning Contractors), 238320 (Painting and Wall Covering Contractors) and 238910 (Site Preparation Contractors) in the Business Management Workforce System on January 17, 2019. Approximately 1104 SBE Firms were identified under the aforementioned commodity codes.

The Division of Policy and Legislation of OCA conducted a review of the Capital Improvement Information System on January 17, 2019, Pursuant to Resolution No. R-421-16 and found that Kiewit Infrastructure South had an average rating of 3.8 out 4.0. This firm has been awarded \$12,791,348.47 according to the firm history report from September 13, 2013 through September 13 2018. Please note that this firm is concurrently being awarded a contract under Project No. S-892 for \$22,237,250.00 under the consent decree.

ADDITIONAL INFORMATION

Kiewit Infrastructure South performed condition assessment, design, and construction to rehabilitate a portion of the existing Magnolia Trunk Sewer in the Cities of Fountain Valley, Westminster and Garden Grove, CA.

<https://www.kiewit.com/projects/waterwastewater/wastewater/magnolia-trunk-sewer-rehabilitation/>

Consent Decree entered into between the United States of America, the State of Florida Department of Environmental Protection and the State of Florida v. Miami-Dade County, Florida, Case No. 1:12-cv-24400-FAM

<https://www.epa.gov/sites/production/files/2013-08/documents/miami-dade-cd.pdf>

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**Item No. 11A5
File No. 182827**

Researcher: IL Reviewer: TD

RESOLUTION DECLARING SURPLUS VACANT COUNTY-OWNED LAND LOCATED AT 1490 NW 62ND STREET, MIAMI, FLORIDA, WAIVING THE REQUIREMENTS OF ADMINISTRATIVE ORDER 8-4 AS THEY RELATE TO REVIEW BY PLANNING ADVISORY BOARD, AND APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY (LANDLORD) AND THE MULTI-ETHNIC YOUTH GROUP ASSOCIATION, INC. (TENANT), A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR A 30-YEAR TERM, PLUS TWO 10 YEAR OPTIONS TO RENEW, FOR THE PURPOSE OF PROVIDING A LEARNING AND A COMMUNITY CENTER AND RELATED PROGRAMS TO AT-RISK FAMILIES AND SPECIAL NEEDS CHILDREN AT AN ANNUAL RENT OF \$881.28, FOR THE INITIAL YEAR, AND ADJUSTED ANNUALLY BY THREE PERCENT FOR THE REMAINDER OF THE TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE LEASE AGREEMENT, TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE FOREGOING; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

ISSUE/REQUESTED ACTION

Whether the Board should: (1) declare surplus County-owned property located at 1490 NW 62 Street, Miami, Florida; (2) waive review by the Planning Advisory Board as required by Administrative Order No. 8-4; and (3) enter a lease agreement with Multi-Ethnic Youth Group Association, Inc. (MEYGA) for a 30-year term plus two, 10-year options to renew for purpose of providing a learning and a community center and related programs to at-risk families and special needs children at an annual rent of \$881.28 for the initial year and adjusted annually by three percent for the remainder of the term.

APPLICABLE LEGISLATION/POLICY

Section 125.38 of the Florida Statutes provides that if the United States, or any department or agency thereof, the state or any political subdivision or agency thereof, or any municipality of this state, or corporation or other organization not for-profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any county of this state or by its board of county commissioners, for public or community interest and welfare, then the United States, or any department or agency thereof, state or such political subdivision, agency, municipality, corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that such property is required for such use and is not needed for county purposes, may convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in the resolution.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.38.html

Section 255.05 of the Florida Statutes provides that a person entering into a formal contract with the state or any county, city, or political subdivision thereof, or other public authority or private entity, for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work shall be required, before commencing the work or before recommencing the work after a default or abandonment, to execute and record in the public records of the county where the improvement is located, a payment and performance bond with a surety insurer authorized to do business in this state as surety. A public entity may not require a contractor to secure a surety bond under this section from a specific agent or bonding company.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0255/Sections/0255.05.html

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Section 2-8.6.5 of the County Code sets forth the County's policy relating to the purchase, sale and lease of real property.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

Section 2-11.15 of the County Code sets forth the County's policy relating to Art in Public Places (AIPP), Miami-Dade County and each municipality in Miami-Dade County shall provide for the acquisition of works of art equivalent in value to not less than one and one-half (1½) percent of the construction cost of new governmental buildings, provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.15WOARPUBL

Resolution No. R-333-15, adopted by the Board on April 21, 2015, establishes the County policy requiring disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

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

Resolution No. R-974-09, adopted by the Board on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

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

Resolution No. 380-17, adopted by the Board on April 4, 2017, establishes Board policy regarding County-owned real property; requiring County mayor or County Mayor's designee to provide written notification to district commissioner in which County-owned property lies no less than four weeks prior to 1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such County-owned property or 2) placing any item on the agenda of this board or any committee of this Board requesting the approval of the sale, lease, or surplus of County-owned property.

<http://www.miamidade.gov/govaction/matter.asp?matter=170414&file=true&fileAnalysis=false&yearFolder=Y2017>

Administrative Order 3-11 sets forth the County's policy to appropriate not less than 1 1/2 percent of the construction cost of new governmental buildings for the purpose of acquiring works of art. The purpose of this administrative order is to establish the necessary procedures to implement the Art In Public Places (AIPP) ordinance and for the transfer of funds from departmental capital budgets to the AIPP Trust Fund in a manner which ensures the self sufficiency of the Program without any dependency on the ad valorem tax operating fund.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-11.pdf>

Administrative Order No. 8-4 sets forth the County policy relating to the authority to sell, lease or otherwise dispose of County-owned property. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable. Should a recommendation not be received from the Planning Advisory Board within the time period provided within this administrative order, the Planning Department Director will provide a recommendation on the proposal.

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

Community Development Block Grant (CDBG) funding must meet one or more of the national objectives set by HUD and benefit the low- and moderate-income persons of Miami-Dade County CDBG. Funds are designed to support projects that: (1) Benefit low and moderate income persons; (2) Are integrated in a long range community strategy; (3) Leverage further private and public partnership, and enhance deteriorated residential and business districts. CDBG program funds can be used to build

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community facilities, roads, parks; to repair or rehabilitate housing, to provide new or increased public services to local residents or to fund initiatives that generate or retain new jobs.

<http://www.miamidade.gov/housing/community-development.asp>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Requester/Department: N/A

The item was brought before the Infrastructure and Utilities Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

This item declares surplus County owned property located at 1490 NW 62 Street, Miami, Florida, and authorizes a lease agreement with MEYGA (Tenant) for an annual payment of \$881.28 for a term of 30 years plus two, 10-year options to renew. The rent increases annually at a rate of three percent for the term of the agreement and any renewal period. The property to be leased is 5,200 square feet and is located in District 3, represented by Commissioner Edmonson.

MEYGA, Inc., is a nonprofit corporation, engaged in providing special needs children and at-risk families learning and community centers in the community. It currently operates a learning center at 1466 NW 62 Street Miami, FL and at 6304 NW 14 Avenue in both locations are in District 3 as well. The leased premises will be used for the development of the vacant parcel of land and the tenant will construct a building, which will contain a learning and a community center.

This property was circulated to County departments determine if any department had an interest in utilizing it and no department expressed an interest.

The fiscal impact is a rental payment to the County in the amount of \$881.28 (\$.17 cents per square foot) with annual increases thereafter of three percent over the remainder of the term of the lease agreement.

Tenant cannot sublease the property without the consent of the Landlord being obtained first through its Board of County Commissioners. This prohibition includes but is not limited to: 1) Any subletting or assignment which would occur by operation of law, merger, consolidation, reorganization, transfer or other change of tenant's corporate or proprietary structure; and 2) An assignment or subletting to or by a receiver or trustee in any federal or state action, bankruptcy, insolvency, or other proceedings.

The property is currently unused and occasionally occupied by homeless individuals. Tenant proposes to construct a learning and community center with a designated rating from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED). Per the lease agreement, the Tenant shall complete the construction, at its sole cost, no later than three years from the commencement date of the executed lease agreement. Any failure to timely complete construction shall be an event of default and the County shall be permitted to terminate the lease.

Prior to commencing construction, the tenant shall obtain and deliver to the County both a payment bond and performance bond or such other alternate form of security. Said payment and performance bonds shall be in favor of the County and each shall be in the amount of the entire cost of the improvements.

MEYGA agrees to maintain and keep in good repair, condition and appearance, during the term of the lease, or any extension, at its sole expense, the premises and all improvements, including, but not limited to any and all infrastructure (utility lines, pipes, wiring) leading to or from the premises, as well as any and all vegetation, including, but not limited to, all grass, hedges, trees and plants which are now or in the future on or about the premises.

BCC Meeting: January 23, 2019
Research Notes

This project is subject to the Art in Public Places (AIPP) provisions in Section 2-11.15 of the County Code. The Tenant shall transmit 1.5% of all construction costs to the County department of Cultural Affairs for the implementation of the AIPP Program.

MEYGA, Inc., is an active Florida non-profit corporation, with a principal address of 6304 N.W. 14 Avenue, Miami, Florida 33147. A search of the IRS website reflected that MEYGA, Inc., is also a 501(c)(3) non-profit charitable foundation.
<https://www.irs.gov/charities-non-profits/exempt-organizations-business-master-file-extract-eo-bmf>

According to the mayoral memo the market rental for the property would range from a payment of \$2.00 (\$10,400 annually) to \$4.00 (\$20,800 annually) per sq-ft.

Proposed site to build learning and community center located in Commission District 3. See attached copy of property location and land value.

Folio: 01-3114-035-1700	
Sub-Division: ORANGE HGTS	
Property Address 1490 NW 62 ST Miami, FL 33147-7920	
Owner MIAMI DADE COUNTY GSA R/E MGMT	
Mailing Address 111 NW 1 STREET STE 2460 MIAMI, FL 33128-1929	
PA Primary Zone 6101 CEN-PEDESTRIAN ORIENTATIO	
Primary Land Use 8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL	
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0



BCC Meeting: January 23, 2019
Research Notes

Item No. 11A6
File No.182828

Researcher: IL Reviewer: TD

RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA STATUTES, APPROVING TERMS OF AND AUTHORIZING EXECUTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND BLESSING HANDS OUTREACH, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR OFFICE SPACE AT THE JOSEPH CALEB COMMUNITY CENTER LOCATED AT 5400 NW 22ND AVENUE, MIAMI, ROOM 712, FOR A FIVE YEAR TERM, AT A NOMINAL RATE OF \$10.00 PER YEAR; DECLARING SUCH PROPERTY SURPLUS, WAIVING THE REQUIREMENTS OF ADMINISTRATIVE ORDER 8-4 AS THEY RELATE TO REVIEW BY PLANNING ADVISORY BOARD, WAIVING BOARD POLICY SET FORTH IN RESOLUTION NO. R-256-13 AS IT RELATES TO PAYMENT OF RENT IN LIEU OF TAXES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE LEASE AGREEMENT, TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE FOREGOING

ISSUE/REQUESTED ACTION

Whether the Board should (1) declare surplus County-owned property located at 5400 NW 22 Avenue, Miami, Room 712, (2) waive review by the Planning Advisory Board as required by Administrative Order No. 8-4, (3) waive the payment of rent in lieu of taxes as required by Resolution No. R-256-13 and (4) authorize the Mayor to enter into a lease agreement between Miami-Dade County and Blessing Hands Outreach, Inc., a Florida not-for-profit organization, for the property to be utilized to provide education, empowerment, and support to women in their health, domestic violence and substance abuse recovery, at a rental rate of \$10.00 per year for a five-year term.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 125.38 states that the Board of County Commissioners may if satisfied that such property is required for such use and is not needed for county purposes, may convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in the resolution. No advertisement shall be required.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html

Resolution No. R-333-15, adopted by the Board on April 21, 2015, established the County policy requiring disclosure of the market value of market rental in legislative items authorizing the conveyance or lease of County-owned property to promote disclosure and fiscal responsibility.

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

Resolution No. R-380-17, adopted by the Board on April 4, 2017, requires that the County Mayor or County Mayor's designee provide written notification to District Commissioners in which County-owned property lies no less than four weeks prior to (1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such property or (2) placing any item on the agenda of the Board or any committee of the Board requesting the approval, sale, lease, or surplus of County-owned property.

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

Resolution No. R-461-13, adopted by the Board on June 4, 2013, establishes County policy to require inclusion of a reverter or lease termination provision in conveyance documents when conveying County-owned property by sale or lease under Florida Statute section 125.38.

BCC Meeting: January 23, 2019
Research Notes

<http://intra/gia/matter.asp?matter=130909&file=true&yearFolder=Y2013>

Resolution No. R-791-14, adopted by the Board on September 3, 2014, directing the Mayor or the Mayor's designee to provide the Miami-Dade County Property Appraiser a copy of all leases and operating agreements involving County-Owned property.

<http://www.miamidade.gov/govaction/matter.asp?matter=141723&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-256-13, adopted by the Board on April 2, 2013, establishing County policy with respect to conveyances to not for profit corporations under Florida Statute Section 125.38, 1) to lease, rather than convey property, unless other compelling circumstances justify the conveyance of same, and 2) to include lease terms requiring a rental payment in lieu of paying taxes in the event that tax exempt status is achieved by the not-for-profit corporation, unless a hardship or other substantial reason exists for foregoing such payment.

<http://intra/gia/matter.asp?matter=130443&file=true&yearFolder=Y2013>

Resolution No. 1054-16, adopted by the Board on, November 1, 2016, directing the County Mayor or the County Mayor's designee and the public health trust to (1) identify all single occupancy restrooms located in buildings and facilities that are owned, operated or leased by the County and the public health trust and to replace any gender signage with gender neutral/gender inclusive signage on or near the opening of such single occupancy restrooms; (2) take appropriate steps to ensure that County and public health trust employees are made aware of this resolution, to include a provision in all county and public health trust future leases and agreements to require tenants to comply with this resolution, and to ensure that all persons are afforded access to such single occupancy restrooms based on availability unless such denial is based on security or other nondiscriminatory reasons

<http://intra/gia/matter.asp?matter=162300&file=true&yearFolder=Y2016>

Administrative Order (A.O.) No 8-4 sets forth the County's processes and procedures for the sale, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable. Should a recommendation not be received from the Planning Advisory Board within the time period provided within this administrative order, the Planning Department Director will provide a recommendation on the proposal.

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

PROCEDURAL HISTORY

Prime Sponsor: Audrey Edmonson

Department/Requester: None

The item was brought before the Housing and Social Services Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

This item is requesting Board approval to (1) declare surplus County-owned property located at 5400 NW 22 Avenue, Miami, Room 712, (2) waive review by the Planning Advisory Board as required by Administrative Order No. 8-4, (3) waive the payment of rent in lieu of taxes as required by Resolution No. R-256-13 and (4) authorize the Mayor to enter into a lease agreement, between Miami-Dade County and Blessing Hands Outreach, Inc., a Florida not-for-profit organization, for the property to be utilized as administrative office space at a rental rate of \$10.00 per year for a five-year term.

Blessing Hands Outreach provides education, empowerment and support to women around their sexual health, domestic violence and substance abuse recovery.

BCC Meeting: January 23, 2019
Research Notes

Currently Blessing Hands Outreach Inc., has a principal address of 4720 NW 25th Avenue, Miami, FL 33142. The property they seek is County-owned and it is located at 5400 NW 22 Avenue, Miami, Room 712, in District 3, which is represented by Commissioner Edmonson, and is approximately 817 square feet. This lease is before the Board for approval as the property was circulated amongst County departments with no department indicating a need for it, thus rendering it surplus.

The fiscal impact on the county is a \$10.00 payment per year for a five year term. The property is currently owned by the County through the Internal Services Department (ISD). The market rent in this area ranges from \$16.00 to \$19.00 per square foot on an annual basis.

Under the lease, the County shall pay all charges for water and electricity for the premises. The Tenant will assume and promptly pay all costs associated with separately metered utilities including, but not limited to, telephone, internet and cable in addition to janitorial and custodial services for the interior of the premises. Moreover, the Tenant shall neither mortgage, pledge, encumber nor assign this lease, nor sublet this lease or any part thereof without the Landlord's prior written consent.

The map below taken from the Property Appraiser's Office and shows the location of the property.



<https://www.miamidade.gov/propertysearch/#/>

ADDITIONAL INFORMATION:

Blessed Hands Outreach Inc. was recognized on March 10, 2018 at the National Women and Girls Day Celebration, for the training and support services they provided to thousands of woman and girls throughout Florida and Georgia.

<https://blackprwire.com/press-releases/bprw-blessing-hands-outreach-to-be-recognized-by-women-grow-strong-s-new-mentoring-program>

BCC Meeting: January 23, 2019
Research Notes

Item No. 11A7
File No. 182002

Researcher: LE Reviewer: TD

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE UP TO 200 TRANSIT PASSES PER MONTH FOR ONE YEAR RETROACTIVE TO SEPTEMBER, 2018 TO GREATER MIAMI SERVICE CORPS TO BE DISTRIBUTED TO ITS VOLUNTEERS SERVING WITHIN MIAMI-DADE COUNTY IN EXCHANGE FOR NO LESS THAN 3,500 HOURS OF VOLUNTEER SERVICES FOR THE MIAMI-DADE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

ISSUE/REQUESTED ACTION

Whether the Board should approve providing up to 200 transit passes per month for one year retroactive to September 2018 to Greater Miami Service Corps (GMSC) volunteers in exchange for no less than 3,500 hours of volunteer services for the Miami-Dade Department of Transportation and Public Works.

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara Jordan, District 1
Department/Requester: None

The proposed resolution was deferred at the Transportation and Public Works Committee on September 14, 2018. During the TPWC meeting on December 13, 2018, the item was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The proposed resolution requests providing Greater Miami Service Corps volunteers in Miami-Dade County up to 200 transit passes per month for one year retroactive to September 2018 in exchange for no less than 3,500 hours of volunteer services for the Miami-Dade Department of Transportation and Public Works (DTPW).

The Greater Miami Service Corps (GMSC) is a youth service organization that provides out-of-school young adults ages 18-23 with resources and services to transition to independence and self-sufficiency. The program focuses on preparing young people to enter the workforce successfully through education, work experience, internship, job placement, and post-program follow-up to placement retention. GMSC has two locations in Miami-Dade County.

The transit passes are being provided to the volunteers to diminish any transportation burdens they may encounter during their year of service.

DEPARTMENTAL INFORMATION

On November 14, 2018, OCA posed the following questions to DTPW and received the following responses italicized:

- Are the transit passes that are being provided pre-loaded with credit or is it the responsibility of the pass recipient to reload them with currency?

DTPW issues a pre-loaded unlimited 1-Month pass on an EASY Ticket, the unit cost per pass is \$112.50. The ticket is for unlimited travel on Metrobus and Metrorail, as Metromover is free for everyone. The ticket is calendar specific and expires at the end of each month.

- Is there a fiscal impact? If so, please elaborate.

BCC Meeting: January 23, 2019
Research Notes

Please see table below for fare media cost breakdown.

Agency	Unit Price	Monthly Allotment	Monthly Cost	Annually Cost
Greater Miami Service Corps	\$112.50	200	\$22,500	\$270,000
City Year	\$112.50	220	\$24,750	\$297,000

BCC Meeting: January 23, 2019
Research Notes

Item No. 11A9
File No. 182373

Researcher: LE Reviewer: TD

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE UP TO 220 TRANSIT PASSES PER MONTH FOR ONE YEAR EFFECTIVE RETROACTIVE TO OCTOBER 2018 TO CITY YEAR TO BE DISTRIBUTED TO ITS VOLUNTEERS SERVING WITHIN MIAMI-DADE COUNTY IN EXCHANGE FOR NO LESS THAN 3,500 HOURS OF VOLUNTEER SERVICES FOR PROMOTION, MARKETING AND OUTREACH FOR THE MIAMI-DADE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW) AND PLACEMENT OF THE DTPW LOGOS ON CITY YEAR MATERIALS

ISSUE/REQUESTED ACTION

Whether the Board should approve providing up to 220 transit passes per month for one year retroactive to October 2018 to City Year volunteers in Miami-Dade County in exchange for no less than 3,500 hours of volunteer services for the Miami-Dade Department of Transportation and Public Works (DTPW).

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime, District 2

Department/Requester: None

The item was deferred during the TPWC meeting on November 16, 2018. During the TPWC meeting on December 13, 2018 it was forwarded to the BCC with a favorable recommendation.

ANALYSIS

The proposed resolution requests providing City Year volunteers in Miami-Dade County up to 220 transit passes per month for one year retroactive to October 2018 in exchange for no less than 3,500 hours of volunteer services for promotion, marketing, and outreach for the Miami-Dade Department of Transportation and Public Works (DTPW) and placement of the DTPW logos on City Year materials.

City Year is a corps program that supports students' academic and social-emotional development in high-need schools while enhancing school culture and climate. City Year has made a nation-wide impact in school communities and children's lives. Since 1988, City Year has served more than 2 million children, completed over 57 million service hours, and over 30,000 alumni have completed the program.

The transit passes are being provided to the volunteers to diminish any transportation burdens they may encounter during their year of service.

DEPARTMENTAL INFORMATION

On November 14, 2018, OCA posed the following questions to DTPW and received the following responses italicized:

- Are the transit passes that are being provided pre-loaded with credit or is it the responsibility of the pass recipient to reload them with currency?

DTPW issues a pre-loaded unlimited 1-Month pass on an EASY Ticket, the unit cost per pass is \$112.50. The ticket is for unlimited travel on Metrobus and Metrorail, as Metromover is free for everyone. The ticket is calendar specific and expires at the end of each month.

BCC Meeting: January 23, 2019
Research Notes

- Is there a fiscal impact? If so, please elaborate.

Please see table below for fare media cost breakdown.

Agency	Unit Price	Monthly Allotment	Monthly Cost	Annually Cost
Greater Miami Service Corps	\$112.50	200	\$22,500	\$270,000
City Year	\$112.50	220	\$24,750	\$297,000

WAIVED ITEMS

Item No.

File No. 182943

Researcher: IL Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00936 FOR PURCHASE OF CELLULAR DEVICES AND SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$54,000,000.00 OVER THE INITIAL FOUR-YEAR TERM AND FOUR, ONE-YEAR OPTIONS TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve an award to AT&T Mobility National Accounts, LLC (AT&T) for the purchase of cellular devices and services in a total amount not exceed \$54,000,000 for an initial term of four years and four, one-year renewal options for the Information Technology Department (ITD).

APPLICABLE LEGISLATION/POLICY

Section 5.03(D) of the Home Rule Charter states that 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 Chairperson of the Board of County Commissioners and not the Mayor shall have all authority provided by this Charter or Board to solicit, evaluate, award or recommend the award of such contract including, but not limited to, the authority to recommend a bid waiver in writing.

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

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board except that the Board of County Commissioners, upon written recommendation of the Mayor or Mayor's designee, may, by resolution adopted by two-thirds (2/3) vote of the members present, waive competitive bidding when it finds this is to be in the best interest of the County.

<https://library.municode.com/fl/miami> -

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

Resolution No. 841-06, adopted on July 6, 2006, Directs the Mayor to seek approval for award of successor contracts or extensions 30 days prior to contract expiration.

<http://www.miamidade.gov/govaction/matter.asp?matter=061720&file=true&yearFolder=Y2006>

Resolution No. 63-14, adopted on January 22, 2014, Directs the Mayor to require certain affidavits as part of the due diligence conducted on recommended vendor prior to contract award.

<http://www.miamidade.gov/govaction/matter.asp?matter=131840&file=true&fileAnalysis=false&yearFolder=Y2013>

Resolution No. 1123-08, adopted on October 21, 2008, awarded Contract No. RFP526, in the amount of \$6,428,058, to AT&T Mobility National Accounts, LLC to Obtain Wireless (Cellular) devices and services on an enterprise basis.

<http://intra/gia/matter.asp?matter=082936&file=true&yearFolder=Y2008>

Resolution No. 140-15, adopted on February 3, 2015, Directs the Mayor to conduct a full review of the scope, prior to the re-procurement of replacement contracts for goods or services to ensure such contracts reflect the current needs of

the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation contract language.

<http://www.miamidade.gov/govaction/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Resolution No. 477-18, adopted on May 1, 2018, Directing The County Mayor or County Mayor's Designee To Disclose To Board Reasons Goods and Services are not being procured through local businesses when recommendation is to award contract to non-local vendor or establish a prequalification pool of vendors where less than 75% of the pool members are local businesses.

<http://www.miamidade.gov/govaction/matter.asp?matter=180822&file=true&fileAnalysis=true&yearFolder=Y2018>

Resolution No. 187-12, adopted on February 21, 2012, Directs the Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. 63-14, adopted on January 22, 2014, Directs the Mayor to require certain affidavits as part of the due diligence conducted on recommended vendor prior to contract award.

<http://www.miamidade.gov/govaction/matter.asp?matter=131840&file=true&fileAnalysis=false&yearFolder=Y2013>

Resolution No. 718-17, adopted on July 6, 2017, directs the Mayor to commence planning for re-procurement no later than 18 months PRIOR to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

Implementing Order I.O. 2-13 Notwithstanding any contrary provision of any other Administrative Order or Implementing Order, it is the policy of the Board that the procedures expressed in this Implementing Order shall be applicable to and shall govern administrative requests for and opinions rendered by the County Attorney's Office in connection with any competitive process of the County, its agencies and administrative boards, including the Public Health Trust. The opinions covered shall include any relating to the responsiveness of any bidder or proposer where the determination may affect the outcome of the solicitation. This Implementing Order is directory in nature only, designed to guide the administration and the County Attorney's Office in the rendering of such opinions, and is not intended to create any rights for any participant in a bid contest or other proceeding.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO2-13.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Infrastructure and Utilities Committee on January 15, 2019 and waived to the January 23 2019 BCC with a favorable recommendation.

ANALYSIS

Whether the Board should approve an award to AT&T Mobility National Accounts, LLC for the purchase of cellular devices and services in a total amount not exceed \$54,000,000 for an initial term of four years and four, one-year renewal options for the Information Technology Department (ITD). This new contract will provide the following devices, but not be limited to: cellular telephones, air cards, signal boosting equipment, hotspots, tablets, and cellular

device accessories. The new contract will provide the following services, but not be limited to: cellular connectivity, voice services, text messaging, data services, consulting, technical and administrative support services as well as in-building signal enhancement services.

The Fiscal impact will be a total amount not to exceed \$54,000,000.00 for the initial four-year term and four, one-year options to renew term. Additionally, this contract contains a rapid deployment plan for emergency services, inclusive of battery and generator back up at communication towers, on-site equipment, and on-site Emergency Operations Center (EOC) at no additional cost as well as an allowance of up to \$125,000 annual for the completion of in-building signal enhance services to strengthen cellular coverage inside County facilities. The impact of these services will be Countywide.

The current contract had a total value of \$52,396,170.00 and is scheduled to expire on February 28, 2019, according the Bid Tracking System. The annual allocation under the current contract is approximately \$5,239,617, under the proposed contract the annual allocation is \$6,750,000 a difference of \$1,510,383 higher. The mayoral memo cites that the increase on the annual allocation is due to an expanded use of cellular technology throughout the County. AT&T is the incumbent firm in the current contract as and the awarded firm in the proposed contract. If awarded the total duration to ATT is 18 years with a total value of \$106,396,170.00.

Time Line of the current and proposed contracts.

Effective Date	Term	Annual Allocation	Total Value spent on both contracts
The current agreement expires February 28 2019	10 years and 4 months	\$ 5,239,617	\$ 52,396,170.00
The proposed agreement is an initial four year term (with four one year options-to-renew)	8 Year term including options-to-renew	\$6,750,000	\$ 54,000,000.00
Total		An increase of \$ 1,510,383 on the annual allocation value	\$106,396,170.00

Below is a table illustrating the scores from the Competitive Selection Committee (CSC):

Proposer	Technical Score (max. 350)	Selection Factor Score	Price Score (max. 150)	Total Combined Score (max. 500)
AT&T Mobility National Accounts LLC.	335	N/A	130	465
Cellco Partnership dba Verizon Wireless	271	N/A	112	383
Sprint Spectrum LP	223	N/A	92	315
T-Mobile USA, Inc.	209	N/A	92	301
Real Mobile, Inc.	61	67.1	26	93.1

The CSC determined that AT&T Mobility National Accounts LLC (AT&T) as having the necessary and relevant experience in the government sector and public safety to provide the County with the needed devices and services. AT&T Mobility National Accounts LLC., has an active account on sunbiz.org, Florida's Division of Corporations website. The firm did not have a local business tax receipt on file with the Tax Collector's website, however there are multiple accounts under the name "AT&T Mobility, AT&T Telecommunication and AT&T" to name a few.

Division of Policy and Legislation of OCA performed a search for commodity code 725 (Radio Communication, Telephone, and Telecommunication Equipment, Accessories, and Supplies) and commodity code 915 (Communications and Media Related Services) on the Business Management Workforce System's (BMWS) Certified Vendor Directory on January 7, 2019. 25 local SBE's were identified in BMWS.

Item No.

File No. 183014

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING A DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL TIME OF ONE YEAR AND SIX MONTHS AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT NOT TO EXCEED \$150,000.00 TO CONTRACT NO. L532 FOR THE PURCHASE OF PARK AND RECREATION BUSINESS MANAGEMENT SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize a designated purchase to award additional time of up to one year and six months and additional expenditure authority in an amount not to exceed \$150,000.00 for Contract No. L532 for the purchase of Business Management Software Maintenance and Technical Support for the Miami-Dade Parks and Recreation and Open Spaces department (PROS).

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(3) of the Code of Miami-Dade County (*Procedures for purchases when competitive procedures are not practicable*), Notwithstanding the requirements of section 2-8.1(b)(1), formal sealed bids for purchase of goods or services shall not be required where such formal sealed bids would not be practicable as set forth herein. Designated Purchase shall mean a purchase within the scope of this section when the purchase through the use of formal sealed bids is not practicable, including, but not limited to: (i) sole source purchases, (ii) services where no competition exists such as public utility services, (iii) where purchases or rates are fixed by law or ordinance, (iv) unique professional or artistic services not governed by the Consultants' Competitive Negotiations Act, section 287.055, Florida Statutes, (v) purchases of goods and services necessary to address an emergency, or where additional formal competition would not be practicable, and (vi) solicitations where only a single proposer has responded to a competitive solicitation but such response contains material defects and the County still desires to enter into a contract with such proposer.

Any recommendation by the Mayor for the award of a Designated Purchase shall at a minimum: (i) provide a written explanation of why the purchase through formal sealed bids would not be practicable under the circumstances and is in the best interest of the County, (ii) provide a written explanation of the process followed resulting in the recommendation for a Designated Purchase, and (iii) provide a written description of any informal competition conducted and any and all efforts to obtain a valuation of the recommended purchase. The Board of County Commissioners shall adopt any resolution authorizing a Designated Purchase by a two-thirds vote of the members present.

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

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development Division regarding solicitation and contract language. <http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Resolution No. R-1429-09, adopted by the Board on December 15, 2009, authorizing the county mayor or county mayor's designee to exercise option-to-renew periods for competitively bid contracts awarded under the county mayor or county mayor designee's delegated authority. Particularly Item No. 2: Park & Recreation Business Management Software seeks authority to exercise the first OTR period for maintenance and support services for Business Management Software for the Miami-Dade Park & Recreation Department. The amount being requested for the first option term is \$78,000. <http://intra/gia/matter.asp?matter=081302&file=true&yearFolder=Y2008>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

ANALYSIS

This proposed resolution is requesting Board authorization for a designated purchase to award additional time of up to one year and six months and additional expenditure authority in an amount not to exceed \$150,000.00 for Contract No. L532 for the purchase of Business Management Software Maintenance and Technical Support for the Miami-Dade Parks and Recreation and Open Spaces department (PROS).

Additional expenditure authority and time is needed to provide continuous service and to prepare for the replacement solicitation, RFP-00891. This RFP was advertised under full an open competition on June 27, 2018. The award of this replacement solicitation is expected to be presented in the early part of 2019.

The Fiscal Impact is \$150,000 and an additional time of 1 year and 6 months.

The table below illustrates the existing cumulative allocation, released amount and final balance as of January 07, 2019:

Department	Existing Cumulative Allocation	Released Amount	Balance
PROS	\$265,000.00	\$225,000.00	\$40,000.00
Total :	\$265,000.00	\$225,000.00	\$40,000.00

The initial contract (L532) was effective on March 15, 2007 in the amount of \$988,365.00, and was scheduled to expire on March 31, 2019. Two monetary modifications occurred to the initial contract, the first was in the amount of \$500,000.00 and the second modification was in the amount of \$785,000.00. It was presented as sole source contract

with an option to renew and was approved by the Board. The option-to-renew (SS8667-1/18-1) was executed on June 24, 2013 in the amount of \$4,933,500.00 and is scheduled to expire on November 30, 2018. The yearly allocation under the current option is \$493,350.00 and the yearly allocation under the recommended contract is also \$781,800.00 (a difference of \$288,450.00 annually).

The timeline below illustrates the contract life of the previous agreement(s) with Miami-Dade County:

Timeline

Contract No.	Effective Date	Expiration Date	Value
RFP-532	03/15/2007	03/14/2010	\$ 988,365.00
RFP-532-1	03/15/2010	06/14/2011	\$ 77,920.00
RFP-532-2	06/15/2011	06/14/2012	\$ 287,600.00
RFP-532-3	06/15/2012	06/14/2013	\$ 287,600.00
RFP-532-4	06/15/2013	06/14/2014	\$ 129,000.00
RFP-532-5	06/15/2014	06/14/2015	\$ 94,000.00
RFP-532-6	06/15/2015	06/14/2016	\$ 94,000.00
RFP-532-7	06/15/2016	12/31/2017	\$ 141,000.00
L532	01/01/2018	03/31/2019	\$ 265,000.00
		Total	\$ 2,364,485.00

OCA performed a search for commodity code 20562: (Software, Data Base Management Control; Pre-Program) and 20554: (Microcomputers, Handheld, laptop, and Notebook, environmentally certified products) on the Business Management Workforce System's Certified Vendor Directory on January 7, 2019. Listed below are the five (5) local SBE-G&S certified firms were found on the Business Management Workforce System under the aforementioned codes.

Network & Communication Services, Inc.	Miami, FL	SBE-G&S
Visual Data Solutions, Inc.	Miami, FL	SBE-G&S
Laser Products, Inc.	Miami, FL	SBE-G&S
Network & Communication Services, Inc.	Miami, FL	SBE-G&S
Visual Data Solutions, Inc.	Miami, FL	SBE-G&S

Item No.

File No. 183006

Researcher: LE Reviewer: TD

RESOLUTION RETROACTIVELY APPROVING THE AWARD OF FISCAL YEARS 2018-2021 CONTRACTS AND/OR GRANT AGREEMENTS WITH CARRFOUR SUPPORTIVE HOUSING AND REDLAND AHEAD, INC., FLORIDA NOT-FOR-PROFIT HOMELESS HOUSING AND SERVICES PROVIDERS, FOR CAPITAL IMPROVEMENTS TO THE PRODUCE/LANDSCAPE NURSERY AND FARMER'S MARKET/RETAIL COMPLEX, WHICH IS COMMONLY KNOWN AS VERDE GARDENS, LOCATED AT THE FORMER HOMESTEAD AIR FORCE BASE PROPERTY, ELIGIBLE CAPITAL EXPENSES ASSOCIATED WITH VERDE GARDENS, AND SUPPORTIVE SERVICES FOR THE VERDE GARDENS HOUSING COMPONENT, WHICH SUCH CONTRACTS AND/OR GRANT AGREEMENTS MAYBE RENEWED ANNUALLY FOR A PERIOD OF THREE YEARS COMMENCING OCTOBER 11, 2018 AND CONCLUDING SEPTEMBER 30, 2021, AND SHALL BE IN AN ANNUAL AMOUNT NOT TO EXCEED \$405,000.00 AND A TOTAL AMOUNT OVER THE THREE-YEAR PERIOD NOT TO EXCEED \$730,000.00; RETROACTIVELY APPROVING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE'S ACTION IN EXECUTING SUCH CONTRACTS AND/OR GRANT AGREEMENTS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE AMENDMENT, RENEWAL, TERMINATION, CANCELLATION, AND MODIFICATION CLAUSES CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should retroactively approve the award of Fiscal Years 2018-2021 contracts and/or grant agreements with Carrfour Supportive Housing and Redland Ahead, Inc. for capital improvements to the produce/landscape nursery and farmer's market/retail complex, eligible capital expenses associated with Verde Gardens, and Supportive Services for the Verde Gardens housing component, which such contracts and/or grant agreements may be renewed annually for a period of three years commencing October 11, 2018 until September 30, 2021, and shall be in an annual amount not to exceed \$405,000.00 and a total amount over the three-year period not to exceed \$730,000.00.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-1238-08, adopted on November 20, 2008, authorizes the execution of a lease agreement at SW 280 Street and 125 Avenue, Homestead with Carrfour Supportive Housing, Inc., for premises to be utilized for a homeless complex and to develop 50.95 acres of property as housing for homeless/formerly homeless families, a produce/landscape nursery, and farmers market.

<http://intra/gia/matter.asp?matter=083224&file=true&yearFolder=Y2008>

Resolution No. R-236-01, adopted on March 8, 2001, prepares an application for conveyance of 717 acres of former Homestead Air Force Base property to the County and authorizes initiation of litigation in federal court to compel a conveyance of surplus property at the base.

<http://intra/gia/matter.asp?matter=010668&file=false&yearFolder=Y2001>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: Miami-Dade Homeless Trust

During the HSSC meeting on January 14, 2019, Commissioner Cava requested to become a cosponsor of the item. She further stated that a project was coming along that is split between Districts 8 and 9. She was interested in seeing that the department work with the developer to see if they are able to leverage some of the money from the food and beverage funds in order to create maximum benefit to expand and have units as possible.

The item was waived and forwarded with a favorable recommendation to the January 23, 2019 BCC meeting.

ANALYSIS

This item is requesting Board retroactive approval for the award of Fiscal Years 2018-2021 contracts and/or grant agreements with Carrfour Supportive Housing and Redland Ahead, Inc.

The funding for housing and services generated from Food and Beverage Tax revenue is designated for the provision of homeless housing and services, and is subject to availability. The total amount of grant funds for Fiscal Years 2018-2021 annually shall not exceed \$405,000.00, renewal amounts will be no greater than \$225,000.00, and a total amount over the three-year period shall not exceed \$730,000.00. No grant funds have been or will be disbursed to Carrfour and Redland until Board approval.

The Grant Funds cover a one-time non-recurring capital expenditure from the Food and Beverage funds in the amount of \$180,000 for capital improvements to the produce/landscape nursery and farmer's market/retail complex. Eligible capital expenses at Verde Gardens at the Permanent Supportive Housing component are included and the produce/landscape nursery and farmer's market/retail complex up to \$100,000 annually from Fiscal Years 2018-2021 and up to \$125,000 to Carrfour for supportive services for the Verde Gardens housing component.

Through Resolution No. R-1238-08, a lease agreement was executed between the County and Carrfour for the former Homestead Air Force Base property (HAFB Property) to be utilized for a permanent supportive residential facility for families in need of homes, a produce/landscape nursery, and farmer's market/retail complex. Verde Gardens was developed on the former HAFB Property with 145 units of Permanent Supportive Housing (PSH).

Former Homestead Air Force Base property is that acreage transferred from the US Air Force to Miami-Dade County as excess to the newly redesignated Homestead Air Reserve Base. The Base Realignment and Closure (BRAC) process realigned the base from an active duty facility to an air reserve base. That modification made 717 acres of Federal property excess to the needs of the new Homestead Air Reserve Base. That excess acreage was deeded back to the County under Resolution No. R-236-01. Carrfour Supportive Housing and Redland Ahead, Inc controls 50.95 acres of the 717 deeded to the County.

Carrfour subcontracted with Redland Ahead, Inc. through the Trust, to operate, maintain, and improve the farm component of Verde Gardens in 2017 as part of the services agreement with the County. The Trust entered into a services agreement for the Verde Gardens farm directly with Redland, consistent with the uses of the Property, as Carrfour continues their lease for 30 years on Verde Gardens until 2039.

The scope of services provided by Redland Ahead are to manage, operate, and improve the landscape/produce nursery and farmer's market/retail complex of the Redland Community Farm and Market at Verde Gardens on the grounds of the former HAFB property.

The scope of services that will be provided by Carrfour Supportive Housing, Inc. are that they will operate the landscape/produce nursery, a store and farmers market, and maintain, operate, and improve the 145 units of Permanent Supporting Housing (PSH) for homeless families.

