MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

Board of County Commissioners

Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, FL 33128

Tuesday, June 30, 2015
9:30 AM, Commission Chambers

Harvey Ruvin, Clerk
Board of County Commissioners

Christopher Agrippa, Director
Clerk of the Board Division

Alan Eisenberg, Commission Reporter
305-375-2510

Members Present: Bruno Barreiro; Esteban L. Bovo, Jr.; Daniella Cava; Jose "Pepe" Diaz; Audrey M. Edmonson; Sally A. Heyman; Barbara J. Jordan; Jean Monestime; Dennis C. Moss; Rebeca Sosa; Javier D. Souto; Xavier L. Suarez; Juan C. Zapata

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY

Report: *Alan Eisenberg, Commission Reporter*
305-375-2510

1A INVOCATION AS PROVIDED IN RULE 5.05(H)

Report: *Officer Michael Roan, Sergeant at Arms, led the Board in the Invocation.*

1B ROLL CALL

Report: *The following staff members were present: Mayor Carlos Gimenez; Deputy Mayor(s) Ruussell Benford, Alina Hudak, Edward Marquez, and Jack Osterholt; County Attorney Robert Cuevas; First Assistant County Attorney Abigail Price-Williams; Clerk of the Board Director Christopher Agrippa; and Deputy Clerk Alan Eisenberg.*

1C PLEDGE OF ALLEGIANCE

Report: *Commissioner Levine Cava led the Board in the Pledge of Allegiance.*

1D SPECIAL PRESENTATIONS (SCHEDULED TO BEGIN AT 8:30 AM)

1D1

151712 **Special Presentation**

SPECIAL PRESENTATION OF SYMPATHY RESOLUTION FOR DR. PHILIP HAROLD MANN — ***Presented***

1D2

151713 **Special Presentation**

SPECIAL PRESENTATION TO PATRICIA BERDEAL - TEACHER OF THE YEAR FOR IMMACULATE CONCEPTION CATHOLIC SCHOOL — ***Presented***

1D3

151714 **Special Presentation**

SPECIAL PRESENTATION OF A CERTIFICATE OF APPRECIATION TO DAYLIN GARCIA FOR PTA VOLUNTEER SERVICE — ***Presented***

1D4

151715 **Special Presentation**

PROCLAMATION TO THE GLENN CURTIS MANSION FOR ITS OUTSTANDING ACHIEVEMENT IN RESTORATION AND REHABILITATION AS RECOGNIZED BY THE FLORIDA TRUST FOR HISTORIC PRESERVATION — ***Presented***

1D5

151716 **Special Presentation**

SPECIAL PRESENTATION TO JUNE MAYOR'S SHINING SCHOLARS: MARIA MERCADO, WALEED MNEIMNEH AND DAVID MILLER — ***Presented***

1D6

151717 **Special Presentation**

SPECIAL PRESENTATION OF A PROCLAMATION DESIGNATING JULY AS PARKS AND RECREATION MONTH — ***Presented***

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1E1

151500 Citizen's Presentation Jean Monestime

EQUITABLE DEVELOPMENT AROUND MIAMI WORLD CENTER - SENATOR DWIGHT BULLARD ***Presented***

Report: *Senator Dwight Bullard spoke on behalf of the Overtown community, noting the continuous negative legacy as an aftermath of I-95 running through that community. He indicated the Miami World Center would be a rare moment in Miami-Dade County for a Community Development District (CDD) without a well-established interlocal agreement. Senator Bullard stressed the need for an interlocal agreement to ensure the Miami World Center project provided livable wages to Overtown residents and the ability to move from poverty to prosperity. He said that progress should not happen at the expense of the community and that project developers should be held accountable through an interlocal agreement to include training opportunities, guaranteed wages, and upward mobility. Senator Bullard concluded that the CDD should change the Overtown's dynamics, a historically forgotten community.*

Bishop James Adams, 1328 NW 3 Avenue, Miami (resident), 1111 Brickell Bay Drive, #2801, Miami (work), noted the Coalition of Clergy believed that an interlocal agreement was vital to the Miami World Center project's success. He cautioned that it would be a detrimental for the process to advance quickly, noting the project was a great opportunity, and the Overtown community wanted to be part of its success.

Mr. Andy Maddis, 4243 NW 36 Street, Miami, President, South Florida American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), spoke in support of the project, noting the jobs and training opportunities it would provide.

Commissioner Edmonson pointed out that landowners were taxing themselves to create infrastructure and no government funds were being used for the Miami World Center project. She said she supported the County in creating the CDD with the many concessions already negotiated between the City of Miami and the developer, with more to follow. Commissioner Edmonson commented that Overtown was not always a poor community, noting it was a mixed income neighborhood and many professionals previously lived there. She indicated that property owners taxed themselves when creating a CDD.

Commissioner Moss encouraged everyone to continue working together. He suggested the Tax Increment Funding (TIF) be reduced by the Community Redevelopment Area (CRA) and direct assistance be provided to Overtown residents.

Commissioner Edmonson explained that two reserve accounts existed to fund the development and redevelopment of the Overtown community. She noted there was currently $75,000 deposited from the Alonso Mourning Development; $2.5 million would be deposited next month from All Aboard Florida; $2.5 million upon the Gateway closing; and another $500,000 upon the Gate House closing. Commissioner Edmonson indicated that development would occur north of 14th Street; that it was designed to avoid slum and blight; and that it would take place with citizen oversight.

1F REPORTS OF OFFICIAL BOARDS

1G REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD AS PROVIDED IN RULE 6.06

Report: *County Attorney Robert Cuevas explained that members of the public would have a reasonable opportunity to be heard regarding any non-public hearing item which was not the subject of a previous public hearing before the Commission or a Committee of the Commission pursuant to Rule 6.06, noting there was no right to be heard on ordinances for second reading listed under Section 7 of today's (6/30) agenda which was a subject of a prior public hearing.*

Chairman Monestime opened the floor to public comment and persons appeared to address the Board on the following Agenda Items: 4D, 5T, 5Y, 7A, 7B, 7C, 8C1, 8D1, 8J1, 8K3, 11A1, 11A4, 11A27 and 15B3. Refer to specific Agenda Items for public comments.

Former City of Opa–locka Mayor John Riley, 2963 NW 135 Street, Opa locka, noted racism was growing in Miami-Dade County and getting worse among County employees. He requested that the Commission on Human Rights received a line item budget and that it included County employee representatives.

There being no other persons wishing to appear before the Board, Chairman Monestime closed the public comment portion of the meeting.

1H MOTION TO SET THE AGENDA AND "PULL LIST"

Report: *Commissioner Sosa requested that public notice be provided whether the Special Taxing District (Agenda Items 5G, 5H, 5I and 5J) would be considered on today's (6/30) agenda.*

Chairman Monestime clarified that several agenda items could not be considered today (6/30) and needed to be deferred, due to an advertising error. He indicated that the public would have the opportunity to speak on those items when they were placed on a subsequent meeting agenda.

County Attorney Robert Cuevas clarified that Item 5H was advertised correctly and that Items 5G, 5I and 5J needed to be deferred; that action could be taken today (6/30) on Item 5H following the public hearing; that the public hearing could be also be held today (6/30) on Items 5G, 5I and 5J but could not be concluded; and that no action could be taken on those Items until properly advertised and continued to the September 1, 2015 Board of County Commissioners meeting.

It was subsequently decided that all four Special Taxing District items (5G, 5H, 5I and 5J) be continued.

Deputy Mayor Alina Hudak announced that staff was available in the Stephen P. Clark Government Center lobby to address residents' questions and concerns about the assessments. Vice Chairman Bovo noted that anyone speaking to staff members about their concerns would also be able to address their concerns to the Board.

Vice Chairman Bovo announced that the Board would break for the firefighter's ceremony at 12:30 p.m. in the Stephen P. Clark Government Center lobby and would continue the meeting and public comments upon its conclusion.

At 12:31 p.m. the meeting was recessed, and reconvened at 1:24 p.m.

Chairman Monestime inquired about the process of setting the agenda at 4:38 p.m., to which County Attorney Cuevas advised that the Board disposed of items without a separate vote when setting the agenda. He noted concern that the public might not be given an opportunity to speak on items, pursuant to Senate Bill 50, in the event the agenda was set before completion of the reasonable opportunity for the public to be heard.

At 6:00 p.m., it was moved by Commissioner Edmonson to continue the meeting past 6:30 p.m. until all business was completed rather than considering items at the Carryover meeting scheduled for July 2, 2015. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 13-0.

County Attorney Robert Cuevas noted in addition to Chairman Monestime's Memorandum entitled "Changes Sheet," that Commissioner Diaz asked to suspend the six-week/four-week rule for Item 4C and to allow the public hearing and second reading to be heard by the full Board on July 14, 2014; that Commissioner Bovo asked to be listed as a co-sponsor to Item 5D; that Commissioners Bovo and Diaz asked to be added to the pull list for Item 8F4; that Commissioners Sosa and Zapata released Item 8F5; that Commissioner Diaz asked to be added to the pull list for Items 8K1, 8K2 and 11A12; that the amendment to the Peoples Transportation Trust for Item 10A1 regarding the Downtown Tri-Rail Station needed to be considered; that Item 11A27 Substitute was distributed at the dais; that Ordinance for First Reading Items

Nos. 14A2, 14A3, 14A4 and 14A5 were added to the Agenda; and that Commissioner Heyman asked to be listed as a co-sponsor to Items 14A2 and 14A3.

County Attorney Cuevas stated the items to be considered at today's (6/30) meeting, would be those items listed in the printed final agenda, with the additions, deferrals, withdrawals, and scrivener's errors noted in the Chairman's Memorandum entitled "Changes Sheet" for the June 30, 2015 Board of County Commissioners Meeting, and the aforementioned items. The Commission would approve all of those items by single vote, setting the agenda, except ordinances for first reading, including Items 14A2, 14A3, 14A4 and 14A5, public hearing items, ordinances for second reading, advisory board ballots (15D1, 15D1Supplement and 15D1 Substitute Supplement), and the following Pull List Items: 8F2, 8F4, 8F5, 8F9, 8G1, 8K1, 8K2, 8L1, 10A1, 11A2 and Supplement, 11A4, 11A5, 11A12, 11A20, 11A22, 14A1, 14A2, 14A3, 14A4, 14A5, and 14A6.

It was moved at 6:38 p.m. by Commissioner Heyman that the Chairman Monestime's Memorandum entitled "Changes Sheet" for the June 30, Board of County Commissioners Meeting, be approved with the additional changes noted by County Attorney Cuevas and County Commissioners. This motion was seconded by Commissioner Sosa and upon being put to a vote, passed by a vote of 12-0 (Commissioner Diaz was absent).

1I OFFICE OF COMMISSION AUDITOR

1J OFFICE OF INTERGOVERNMENTAL AFFAIRS

1K OFFICE OF COMMUNITY ADVOCACY

1K1

151550 **Special Presentation**

MIAMI-DADE COUNTY COMMISSION FOR WOMEN SCHOLARSHIP PRESENTATION BY CHAIRWOMAN MARA ZAPATA TO RECIPIENTS, SHAQUELL BALLOU AND MICHELLE RODRIGUEZ, GRADUATING SENIORS FROM THE YOUNG WOMEN'S PREPARATORY ACADEMY (Office of Community Advocacy) ***Presented***

2 MAYORAL ISSUES

2A MAYORAL VETOES

2B MAYORAL REPORTS

2B1

151383 **Report**

CRAIGSLIST SAFE HAVEN - DIRECTIVE 150527 (Mayor) ***Presented***

Report: *In connection with the foregoing item, Commissioner Heyman noted documents for respective city police departments were available upon request.*

2B2

151385 **Report**

MIAMI-DADE FIRE RESCUE VEHICLES - DIRECTIVE 150739 (Mayor) ***Presented***

2B3

151388 **Report**

RESPONSE TO RESOLUTION NO. R-231-15 DIRECTING TO INITIATE DISCUSSIONS WITH INSURANCE COMPANY REPRESENTATIVES ABOUT OFFERING INCENTIVE TO RESIDENTIAL POOL OWNERS FOR INSTALLING POOL SAFETY EQUIPMENT (Mayor) ***Presented***

2B4

151203 **Report**

AVIATION DEPARTMENT OVERTIME, FRINGES, AND CONTRACTUAL SERVICES EXPENDITURES (Mayor) ***Presented***

6/2/2015 2B7 *Deferred by the Board of County Commissioners*

6/11/2015 7B *Report Received by the Trade and Tourism Committee*

2B5

151226 **Report**

MONTHLY STATUS REPORT ON MIAMI-DADE WATER AND SEWER DEPARTMENT'S INFRASTRUCTURE PROJECTS - MAY 2015 (Mayor) ***Presented***

6/10/2015 7D *Report Received by the Metropolitan Services Committee*

2C OTHER ISSUES

3 CONSENT ITEMS

3A COMMISSIONER CONSENT ITEMS

3A1

151419 **Resolution** **Daniella Levine Cava**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE APRIL 11, 2015 "VIKING FEST" SPONSORED BY ARVIDA MIDDLE SCHOOL IN AN AMOUNT NOT TO EXCEED $790.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 8 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-528-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A2

151416 **Resolution** **Sally A. Heyman**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE MARCH 14, 2015 "SURF BAL BAY - RELAY FOR LIFE" EVENT SPONSORED BY THE TOWN OF BAL HARBOUR POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED $800.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 4 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-529-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A3

151417 **Resolution** **Sally A. Heyman**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE APRIL 26, 2015 "ISRAEL INDEPENDENCE DAY" EVENT SPONSORED BY FLORIDA ISRAEL FRIENDSHIP LEAGUE, INC. IN AN AMOUNT NOT TO EXCEED $790.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 4 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-530-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A4

151418 **Resolution** **Sally A. Heyman,**
Jose "Pepe" Diaz

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE JANUARY 25, 2015 "MIAMI MARATHON" SPONSORED BY LIFE TIME FITNESS, LLC. IN AN AMOUNT NOT TO EXCEED $3,795.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 4 FY 2014-15 IN-KIND RESERVE FUND AND $3,795.00 FROM THE BALANCE OF THE DISTRICT 12 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-531-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A5

151398 **Resolution** **Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE JANUARY 17, 2015 "DR. MARTIN LUTHER KING JR. FESTIVAL" SPONSORED BY NEW VISIONS FOR SOUTH DADE, INC. IN AN AMOUNT NOT TO EXCEED $650.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 9 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-532-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A6

151399 **Resolution** **Xavier L. Suarez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE APRIL 4, 2015 "CABA 5K LAWYERS ON THE RUN" EVENT SPONSORED BY THE CUBAN AMERICAN BAR ASSOCIATION PRO BONO PROJECT, INC. IN AN AMOUNT NOT TO EXCEED $1,000 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 7 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-533-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A7

151400 **Resolution** **Xavier L. Suarez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE APRIL 25, 2015 "2015 SPRING EVENT" SPONSORED BY ATLANTIS ACADEMY MIAMI IN AN AMOUNT NOT TO EXCEED $1,750.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 7 FY 2014-15 IN-KIND RESERVE FUND

Adopted
Resolution R-534-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A8

151367 **Resolution** **Daniella Levine Cava**

RESOLUTION APPROVING ALLOCATIONS OF FY 2014-15 DISTRICT 8 OFFICE BUDGET FUNDS AND ALLOCATIONS FROM THE FY 2014-15 DISTRICT 8 SHARE OF THE SONY OPEN TENNIS TOURNAMENT TICKET REVENUE

Adopted
Resolution R-535-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A9

151452 **Resolution** **Jean Monestime**

RESOLUTION APPROVING ALLOCATIONS OF FY 2014-15 OFFICE OF THE CHAIR BUDGET FUNDS AND ALLOCATIONS OF FY 2014-15 DISTRICT 2 OFFICE BUDGET FUNDS

Withdrawn
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Note: Please see Agenda Item 3A9 Substitute; Legislative File No. 151553.*

3A9 SUBSTITUE

151553 **Resolution** **Jean Monestime**

RESOLUTION APPROVING ALLOCATION OF FY 2014-15 OFFICE OF THE CHAIR BUDGET FUNDS AND ALLOCATIONS OF FY 2014-15 DISTRICT 2 OFFICE BUDGET FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 151452]

Adopted
Resolution R-536-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A10

151376 **Resolution** **Juan C. Zapata**

RESOLUTION APPROVING ALLOCATION FROM THE FY 2014-15 DISTRICT 11 SHARE OF THE SONY OPEN TENNIS TOURNAMENT TICKET REVENUE

Adopted
Resolution R-537-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3A11

151490 **Resolution** **Jean Monestime**

RESOLUTION DECLARING ONE 1995 BLUEBIRD BUS SURPLUS; AUTHORIZING ITS DONATION TO GLORY TEMPLE MINISTRIES, INC; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

Adopted
Resolution R-538-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3B DEPARTMENTAL CONSENT ITEMS

3B1

151193 **Resolution**

RESOLUTION RATIFYING ACTION OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE IN APPLYING FOR GRANT FUNDS AND IN ENTERING INTO A GRANT AGREEMENT IN THE AMOUNT OF $20,200.00 WITH ADVOCATE PROGRAM, INC. TO ASSIST VETERANS AND THEIR FAMILIES AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS AWARDED (Community Action and Human Services)

Adopted
Resolution R-539-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

3B2

150970 **Resolution**

RESOLUTION APPROVING TERMS OF AND AUTHORIZING MAYOR, MAYOR'S DESIGNEE OR MIAMI-DADE TRANSIT DIRECTOR TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE STATE PARK AND RIDE LOT PROGRAM FUNDING IN THE AMOUNT OF $1,246,724.00 FOR THE DESIGN AND CONSTRUCTION OF A PARK AND RIDE FACILITY AT THE CORNER OF SW 184 STREET AND THE SOUTH MIAMI-DADE BUSWAY; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE AGREEMENT; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS FOR SUCH PURPOSE (Miami-Dade Transit)

Adopted
Resolution R-540-15
Mover: Dennis C. Moss
Seconder: Esteban L. Bovo, Jr.
Vote: 11- 0
Absent: Jordan, Suarez

Report: *Note: Please see Agenda Item 10A1, Legislative File No. 151366 for the discussion related to this item.*

3B3

151321 **Resolution**

RESOLUTION RATIFYING THE ACTIONS OF THE MAYOR OR THE MAYOR'S DESIGNEE IN APPLYING FOR AND RECEIVING $20,000.00 IN GRANT FUNDS AWARDED BY, AND EXECUTING A GRANT AGREEMENT WITH, THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR SPAYING AND NEUTERING OF CATS AND AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AGREEMENT WITH THE CAT NETWORK, INC. IN THE AMOUNT OF $20,000.00 FOR PROVISION OF SPAY-NEUTER SERVICES AND EXERCISE PROVISIONS CONTAINED THEREIN (Animal Services)

Adopted
Resolution R-541-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

4 ORDINANCES FOR FIRST READING

4A

151421 **Ordinance** **Daniella Levine Cava, Audrey M. Edmonson**

ORDINANCE AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CLARIFYING THAT WHERE NOT PRECLUDED BY FEDERAL OR STATE LAW OR FUNDING SOURCE, HOURLY WAGES TO BE PAID ON FEDERALLY OR STATE FUNDED COUNTY CONSTRUCTION CONTRACTS SHALL BE THE HIGHER OF DAVIS-BACON ACT RATES OR THE RATES UNDER SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to no date certain
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

4B

151445 **Ordinance** **Jose "Pepe" Diaz, Esteban L. Bovo, Jr.**

ORDINANCE RELATING TO ZONING; UPDATING REGULATIONS PERTAINING TO RESTAURANTS AND TO LIVE ENTERTAINMENT AT RESTAURANTS, BARS, NIGHT CLUBS, CABARETS AND SIMILAR ESTABLISHMENTS; UPDATING THE DEFINITION OF NIGHT CLUBS; PROVIDING FOR NIGHT CLUBS IN THE IU-1 ZONING DISTRICT; AMENDING SECTIONS 33-1, 33-150, 33-238, AND 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 25, 2015
Mover: Jose "Pepe" Diaz
Seconder: Esteban L. Bovo, Jr.
Vote: 10- 3
No: Sosa, Souto, Zapata

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Commissioner Sosa asked that the foregoing proposed ordinance be bifurcated in order for her to vote separately on this item.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Unincorporated Municipal Services Area (UMSA) Committee on Tuesday, August 25, 2015 at 2:00 p.m.

4C

151420 **Ordinance** **Jose "Pepe" Diaz**

ORDINANCE GRANTING PETITION OF HIALEAH COMMUNITIES, LLC FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING BONTERRA COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: July 14, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: During the setting of the agenda, County Attorney Robert Cuevas noted that Commissioner Diaz asked the Board to suspend the Board's 6 week/4 week Rules of Procedure to allow the public hearing and second reading on the foregoing proposed ordinance to be heard by the Board of County Commissioners at the July 14, 2015 Board meeting.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, July 14, 2015 at 9:30 a.m.

6/19/2015 *Requires Municipal Notification by the Board of County Commissioners*

4D

151453 **Ordinance** **Jose "Pepe" Diaz**

ORDINANCE RELATING TO ZONING AND SIGNS; PROVIDING DEFINITIONS AND STANDARDS FOR ILLUMINATION RELATING TO SIGNS; PROVIDING FOR DIGITAL SIGNS; PROVIDING FOR DIGITAL BILLBOARDS AFTER PUBLIC HEARING; AMENDING SECTIONS 33-84, 33-96, 33-96.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 33-96.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to July 14, 2015
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 13- 0

Report: *The following members of the public appeared before the Board to speak on the foregoing proposed ordinance:*

Mr. Nathan Kurland, 3132 Day Avenue, Miami, appeared in opposition to the foregoing proposed ordinance, noting thirty years ago the County Commission established a countywide sign code with minimum and uniform standards for every form of outdoor sign. He noted cities could adopt more stringent rules but not more lenient ones. Mr. Kurland stated that many problems existed with this legislation such as area variances creating a process for waiving any and all regulations regarding sign size, setback, spacing, distance, quantity, minimum land area, landscaping, and where the applicant demonstrates that the benefit for granting the area variance does not outweigh the detriment to the neighborhood. He said this was a test for the protective rules controlling advertising signage measuring harm to a neighborhood and the ordinance encouraged visual pollution.

Ms. Grace Solares, 60 SW 30 Road, Miami, appeared in opposition to the foregoing proposed ordinance, noting the proposed Rule H made it an automatic right of certain digital point of sale signs to ignore the important rules for minimum land area and landscaping.

Mr. William Pollak, 19 W Flagler Street, Miami, appeared in opposition to the foregoing proposed ordinance, noting the current sign code established a protective zone 600 feet from both sides of all expressways where no commercial advertising (billboards) could exist. He said the local billboard industry participated in creating the existing sign code and honored that rule for fifteen years before Carter Advertising began installing illegal billboards along I-95, I-195, and I-395, with Clear Channel following thereafter. Mr. Pollak indicated that the sign code forced the City of Miami (City) to enforce the data on expressway billboards; however, the City Commission deliberately voted to allow illegal advertisements to remain in place in exchange of millions of dollars. He indicated that County government turned a blind eye to those decisions and did not enforce its own sign code. Additionally, the City failed to enforce the sign code banning mural ads when enormous and illegal billboards were installed on the side of downtown Miami buildings and the County looked the other way, said Mr. Pollak. He noted the City also authorized Clear Channel to install signage along expressways in exchange for cash. Additionally, Mr. Pollak indicated the City permitted the Miami Children's Museum to install several giant programmable signs at its building.

Mr. Peter Erlich, 720 NE 69 Street, Miami, appeared in opposition to the foregoing proposed ordinance, noting the proposal would unleash visual pollution unmatched in County history. He said County government did nothing when illegal expressway billboards were erected fifteen years ago, when the mural industry flooded downtown Miami, when programmable faces were installed on billboards, or when the Miami Children's Museum installed its billboard. Mr. Erlich pointed out that the ordinance created a new special exception category called digital billboards on handwritten pages 12 – 14, noting illegal digital billboards already existed throughout the County, particularly within the City of Miami. He said the County Attorney advised the Commission on several occasions that billboards were illegal and this new provision would allow advertising companies to ignore County Code and make legal what was now illegal.

First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

County Attorney Robert Cuevas noted that Commissioner Suarez asked to bifurcate the following proposed ordinance in order to vote separately on this item. Commissioners Levine Cava and Sosa also asked that the item be bifurcated.

Commissioner Diaz subsequently asked that the foregoing proposed ordinance be deferred to the next County Commission meeting.

Hearing no further questions or comments, the Board proceeded to defer the foregoing proposed ordinance to the July 14, 2014 Board of County Commissioners meeting.

6/23/2015 *Requires Municipal Notification by the Board of County Commissioners to the Unincorporated Municipal Service Area (UMSA) Cmte*

4E

151439 **Ordinance** **Audrey M. Edmonson**

ORDINANCE CREATING MIAMI-DADE COUNTY OVERTOWN COMMUNITY BENEFITS ADVISORY BOARD FOR PURPOSE OF ADMINISTERING OVERTOWN COMMUNITY BENEFITS PROGRAM; PROVIDING FOR POWERS AND DUTIES, COMPOSITION AND ORGANIZATION OF BOARD; PROVIDING FOR QUALIFICATIONS AND APPOINTMENT OF BOARD MEMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 27, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Economic Prosperity (EP) Committee on Thursday, August 27, 2015 at 2:00 p.m.

4F

151361 **Ordinance** **Sally A. Heyman, Rebeca Sosa**

ORDINANCE RELATED TO DADE-MIAMI CRIMINAL JUSTICE COUNCIL; AMENDING ARTICLE CXLIX, SECTION 2-2169 OF CHAPTER 2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE THE MIAMI-DADE REENTRY COUNCIL COMMITTEE AS A COMMITTEE OF THE DADE-MIAMI CRIMINAL JUSTICE COUNCIL; SUPERSEDING RESOLUTION NO. R-321-09; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 26, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Commissioner Sosa asked to be listed as a co-sponsor of the foregoing proposed ordinance.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Metropolitan Services (MS) Committee on Wednesday, August 26, 2015 at 2:00 p.m.

6/8/2015 *Requires Municipal Notification by the Board of County Commissioners to the Metropolitan Services Committee*

4G

151390 **Ordinance** **Dennis C. Moss,**
Daniella Levine Cava,
Audrey M. Edmonson,
Barbara J. Jordan,
Rebeca Sosa,
Sen. Javier D. Souto

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING DEFINITIONS PERTAINING TO BREWERIES, DISTILLERIES, AND WINERIES; UPDATING PERMITTED USES IN THE AGRICULTURAL ZONING DISTRICT BY AMENDING REGULATIONS PERTAINING TO BED AND BREAKFAST ESTABLISHMENTS AND FARM-RELATED WINERIES, BREWERIES, AND DISTILLERIES; AMENDING SECTIONS 33-1 AND 33-279 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 25, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Unincorporated Municipal Services Area (UMSA) Committee on Tuesday, August 25, 2015 at 2:00 p.m.

4H

151378 **Ordinance** **Xavier L. Suarez,**
Sally A. Heyman

ORDINANCE RELATING TO ZONING; AMENDING JURISDICTION OF BOARD OF COUNTY COMMISSIONERS TO HEAR CERTAIN APPLICATIONS RELATED TO PRIVATE SCHOOLS; AMENDING SECTION 33-314 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 25, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Unincorporated Municipal Services Area (UMSA) Committee on Tuesday, August 25, 2015 at 2:00 p.m.

4I

151295 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GRAND FLORIDIAN ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted on first reading
Public Hearing: September 1, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, September 1, 2015 at 9:30 a.m.

4J

151253 **Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE NARANJA COMMUNITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.66 AND 33-284.68 THROUGH 33-284.72 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: July 14, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, July 14, 2015 at 9:30 a.m.

4K

151254 **Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE LEISURE CITY COMMUNITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.99.34, 33-284.99.35, 33-284.99.36 AND 33-284.99.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: July 14, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, July 14, 2015 at 9:30 a.m.

4L

151415 **Ordinance**

ORDINANCE RELATING TO ZONING; AMENDING THE DOWNTOWN KENDALL URBAN CENTER DISTRICT REGULATING PLANS; REDESIGNATING STREETS ABUTTING THE SUBJECT PROPERTY FROM "A" TO "C" AND "F"; AMENDING SECTION 33-284.61 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: July 14, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, July 14, 2015 at 9:30 a.m.

4M

151072 **Ordinance** **Jose "Pepe" Diaz, Sally A. Heyman**

ORDINANCE PERTAINING TO ANIMALS; AMENDING REGULATIONS REGARDING CRUELTY TO ANIMALS, ADOPTION OF ANIMALS FROM THE DEPARTMENT, VACCINATION AND LICENSING OF ANIMALS, SALE OF LICENSES BY VETERINARIANS AND PET DEALERS, IMPOUNDMENT OF ANIMALS, LIVESTOCK AT LARGE, AND MICROCHIPPING; AMENDING THE ANIMAL SERVICES DIRECTOR'S DELEGATED CONTRACTING AUTHORITY; AMENDING SECTIONS 5-4, 5-5, 5-6, 5-7, 5-11, 5-18, 5-19, AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Animal Services)

Adopted on first reading
Public Hearing: August 26, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Metropolitan Services (MS) Committee on Wednesday, August 26, 2015 at 2:00 p.m.

5/29/2015 *Requires Municipal Notification by the Board of County Commissioners*

4N

151319 **Ordinance** **Metropolitan Services Committee**

ORDINANCE AMENDING SECTION 24-5 OF THE CODE OF MIAMI-DADE COUNTY, PROVIDING DEFINITIONS RELATED TO SANITARY SEWER COLLECTION AND TRANSMISSION SYSTEMS; AMENDING SECTION 24-18 OF THE CODE, RELATING TO OPERATING PERMITS; AMENDING SECTION 24-42.2 OF THE CODE, PROVIDING CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE REQUIREMENTS FOR THE VOLUME SEWER CUSTOMER SANITARY SEWER COLLECTION AND TRANSMISSION SYSTEMS FOR THE CONSENT DECREE BETWEEN MIAMI-DADE COUNTY, THE UNITED STATES OF AMERICA, THE STATE OF FLORIDA, AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; TO PROVIDE SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Adopted on first reading
Public Hearing: August 26, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Metropolitan Services (MS) Committee on Wednesday, August 26, 2015 at 2:00 p.m.

6/23/2015 *Requires Municipal Notification by the Board of County Commissioners*

4O

151489 **Ordinance** **Esteban L. Bovo, Jr.**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LAKE HILDA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted on first reading
Public Hearing: September 1, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, September 1, 2015 at 9:30 a.m.

4P

151493 **Ordinance** **Esteban L. Bovo, Jr.**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LAKE PATRICIA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted on first reading
Public Hearing: September 1, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, September 1, 2015 at 9:30 a.m.

4Q

151504 **Ordinance** **Jean Monestime,**
Daniella Levine Cava,
Sally A. Heyman

ORDINANCE RELATED TO AUDITS OF SPECIAL TAXING DISTRICT; AMENDING SECTION 18-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING ANNUAL AUDITS OF SPECIAL TAXING DISTRICTS TO BE PLACED ON AN AGENDA OF THE BOARD OF COUNTY COMMISSIONERS BY A SPECIFIED DEADLINE; PROVIDING ADDITIONAL REQUIREMENTS FOR SUCH AUDITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 26, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Metropolitan Services (MS) Committee on Wednesday, August 26, 2015 at 2:00 p.m.

5 PUBLIC HEARINGS (Scheduled for 9:30 a.m.)

5A

151324 **Resolution** **Audrey M. Edmonson,**
Jose "Pepe" Diaz,
Barbara J. Jordan,
Rebeca Sosa

RESOLUTION APPROVING, AFTER A PUBLIC HEARING, SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 324 - "PUERTO RICAN COMMUNITY CENTER," IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-917-04, TO CHANGE PROJECT DESCRIPTION TO ALLOW ACQUISITION OF A PUERTO RICAN COMMUNITY CENTER

Adopted
Resolution R-542-15
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing and called for persons wishing to appear before the Board on the foregoing proposed resolution.

Mr. Louis de Rosa, 3515 Biscayne Boulevard, Miami, acknowledged Mayor Gimenez, Commissioners Edmonson and Sosa and the entire County Commission for their efforts in connection with this project on behalf of the Puerto Rican Chamber of Commerce's Board of Directors.

Chairman Monestime closed the public hearing after no other persons appeared wishing to be heard.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

6/11/2015 2E *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

5B

151354 **Resolution** **Barbara J. Jordan, Sally A. Heyman**

RESOLUTION CODESIGNATING THE TRAFFIC ROUNDABOUT AT THE INTERSECTION OF NE 199TH STREET AND NORTH DRIVE AS "FATHER PETER LICKMAN WAY"

Adopted
Resolution R-543-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5B SUPPLEMENT

151428 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING RESOLUTION CODESIGNATING THE TRAFFIC ROUNDABOUT AT THE INTERSECTION OF NE 199TH STREET AND NORTH DRIVE AS 'FATHER PETER LICKMAN WAY' (Clerk of the Board)

Presented

5C

151356 **Resolution** **Dennis C. Moss**

RESOLUTION RENAMING "RICHMOND TRIANGLE PARK" AS THE "RICHMOND HEIGHTS LEGACY PARK"; RENAMING "BEN SHAVIS PARK" AS THE "BEN SHAVIS LEGACY PARK"; RENAMING "LINCOLN ESTATES PARK" AS THE "LINCOLN ESTATES LEGACY PARK"; RENAMING "NARANJA LAKES PARK" AS THE "NARANJA LAKES LEGACY PARK"; DIRECTING THE COUNTY MAYOR OR DESIGNEE TO TAKE ALL STEPS NECESSARY TO EFFECTUATE SUCH NAME CHANGES

Adopted
Resolution R-544-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5C SUPPLEMENT

151458 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING RESOLUTION RENAMING 'RICHMOND TRIANGLE PARK' AS THE 'RICHMOND HEIGHTS LEGACY PARK'; RENAMING 'BEN SHAVIS PARK' AS THE 'BEN SHAVIS LEGACY PARK'; RENAMING 'LINCOLN ESTATES PARK' AS THE 'LINCOLN ESTATES LEGACY PARK'; RENAMING 'NARANJA LAKES PARK' AS THE 'NARANJA LAKES LEGACY PARK'; DIRECTING THE COUNTY MAYOR TO TAKE ALL STEPS NECESSARY TO EFFECTUATE SUCH NAME CHANGES
(Clerk of the Board)

Presented

5D

150521 **Resolution** **Dennis C. Moss,**
Esteban L. Bovo, Jr.,
Daniella Levine Cava,
Jose "Pepe" Diaz,
Audrey M. Edmonson,
Sally A. Heyman,
Rebeca Sosa

RESOLUTION AMENDING RESOLUTION NO. R-488-14 TO REVISE THE COUNTY ROAD CODESIGNATION, AND URGING THE FLORIDA LEGISLATURE TO REVISE THE STATE ROAD CODESIGNATION, OF PORTIONS OF SW 152 STREET FROM BEING "LARCENIA BULLARD WAY" TO BEING "SENATOR LARCENIA J. BULLARD WAY"; AMENDING RESOLUTION NO. R-481-14 TO APPROVE STATE REVISION; DIRECTING THE MAYOR OR DESIGNEE TO INSTALL APPROPRIATE SIGNAGE ON TRAFFIC SIGNAL MAST ARMS AND STREET SIGNS PURSUANT TO RESOLUTION NOS. R-825-07 AND R-159-07

Adopted
Resolution R-545-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Commissioner Zapata asked to be listed as a co-sponsor of the foregoing proposed resolution.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

3/17/2015 5B *Deferred by the Board of County Commissioners*

5D SUPPLEMENT

151450 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING RESOLUTION AMENDING RESOLUTION NO. R-488-14 TO REVISE THE COUNTY ROAD CODESIGNATION, AND URGING THE FLORIDA LEGISLATURE TO REVISE THE STATE ROAD CODESIGNATION, OF PORTIONS OF SW 152 STREET FROM BEING 'LARCENIA BULLARD WAY' TO BEING 'SENATOR LARCENIA J. BULLARD WAY'; AMENDING RESOLUTION NO. R-481-14 TO APPROVE STATE REVISION; DIRECTING THE MAYOR TO INSTALL APPROPRIATE SIGNAGE ON TRAFFIC SIGNAL MAST ARMS AND STREET SIGNS PURSUANT TO RESOLUTION NOS. R-825-07 AND R-159-07 (Clerk of the Board)

Presented
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

5E

151105 **Ordinance** **Xavier L. Suarez**

ORDINANCE AMENDING ORDINANCE NO. 04-84 RELATING TO THE COLONNADE MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO MODIFY THE DESCRIPTION OF THE PARK FACILITIES AND SERVICES NEEDED TO MAINTAIN SAME WITHIN THE SPECIAL TAXING DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted
Ordinance 15-48
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5/19/2015 14A4 *Adopted on first reading by the Board of County Commissioners*

5F

151443 **Ordinance**

ORDINANCE APPROVING AND ADOPTING FISCAL YEAR 2014-15 MID-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS AND AMENDMENTS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET FEES, CHARGES AND ASSESSMENTS AND PROVIDING FOR THEIR AMENDMENT; APPROPRIATING GRANT, DONATION AND CONTRIBUTION FUNDS; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 150952] (Office of Management and Budget) ***Amended***

Report: *Note: See Agenda Item No. 5F AMENDED, Legislative File No. 151656 for the amended version.*

5F AMENDED

151656 **Ordinance**

ORDINANCE APPROVING AND ADOPTING FISCAL YEAR 2014-15 MID-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS AND AMENDMENTS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET FEES, CHARGES AND ASSESSMENTS AND PROVIDING FOR THEIR AMENDMENT; APPROPRIATING GRANT, DONATION AND CONTRIBUTION FUNDS; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 151443] (Office of Management and Budget)

Adopted as amended
Ordinance 15-49
Mover: Barbara J. Jordan
Seconder: Daniella Levine Cava
Vote: 8- 1
No: Zapata
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Commissioner Jordan questioned the removal of $1 million from the original item, noting funding was available and the need for employment opportunities in six impacted areas.

It was moved by Commissioner Jordan that the $1 million be reinstated. This motion was seconded by Commissioner Levine Cava.

Assistant County Attorney Jess Anderson clarified that the foregoing proposed ordinance would need to be amended to reinstate the $1 million; that the $1 million funding was originally in the item; and that the funding was removed by the Strategic Planning and Government Operations Committee (SPGOC).

Chairman Monestime expressed concern about starting a summer employment program in the middle of the summer, suggesting that the funding be used to build a stronger program next year.

Commissioner Levine Cava noted she supported Chairman Monestime's suggestion; however, proceeded to ask Deputy Mayor Russell Benford about the implementation plans for the program.

Deputy Mayor Benford reported that Administration would work to get as much done as possible this summer and use any remaining funds next year.

Commissioner Heyman expressed concern raised by the SPGOC that only certain Districts were allocated funding. She questioned whether the funding would be distributed throughout the entire County by the Parks, Recreation and Open Spaces (PROS) Department Director.

Commissioner Edmonson indicated that Mayor Gimenez was addressing high crime rates in specific areas during the summer months, despite the need for jobs countywide. She noted some areas needed more help than others; that the Fiscal Year 2015-16 budget included summer jobs funding for the entire County; and that the current allocation was only enough for some areas. Commissioner Edmonson asked staff whether there was sufficient time to start a program this year.

Deputy Mayor Benford reported that Administration would partner with CareerSource South Florida; that online resources were available; and that mobile units could be secured quickly. He said the program was a deterrent to juvenile crime and funds were allocated based upon the top ten zip codes of youth arrests.

Chairman Monestime stated that the Mayor's office should have developed this program several months earlier after the Board passed a resolution sponsored by Commissioner Suarez and himself to create a summer jobs program with $2.5 million funding and matching funds. He said the Mayor offered $1 million for the summer program which was subsequently rescinded and attempted to reinstate three months later. Chairman Monestime noted he would support the program but did not believe it would achieve its full impact due to the late implementation date, and that it should be appropriately planned for next year.

Commissioner Edmonson said she believed the program could be implemented quickly by placing youth in the PROS Department, County departments, and County Commissioner's offices.

Commissioner Jordan concurred with Commissioner Edmonson about creating a countywide program; however, expressed concern that all areas were not equal and the needs were not the same throughout the entire county. She supported implementing a program for the remainder of the summer and allocating the unused funds next year.

Commissioner Diaz said there would have been a program had it been done within the requested timeframe. He pointed out that crime also existed in his District and there was a need for jobs there as well.

Commissioner Zapata noted he agreed with Commissioner Jordan that there were priorities in the community. He said the Board should have the political courage to establish those priorities and that the money should be made available to follow those priorities. Commissioner Zapata stated that CareerSource already had a summer jobs program and questioned the extent of their participation in this process. He inquired about the Children's Trust's involvement and whether an educational component was included. Commissioner Zapata said all community partners, including the United Way and community based organizations needed to participate in this program. He stressed the importance of putting together impactful and meaningful programs in the neediest areas of the County, noting all community partners should be involved.

Chairman Monestime commented on the need to be more inclusive and to allocate more resources to the areas with the most need. He noted concern that the Administration did not follow through on this issue in a timely manner.

Commissioner Moss stated that he always supported summer youth employment programs. He noted that these employment experiences prepared youth for future self-sufficiency; that additional money would be spent in the community as youth earned salries; and that community based organizations should be involved. Commissioner Moss said that additional funding was needed in addition to the proposed $1 million. He noted that work experience was important to develop appropriate work habits, to understand the value of earning money legally, and to reduce crime.

Commissioner Levine Cava commented that the Children's Trust Board expressed interest in this program for next year, noting they would have been interested in a program this year had it been implemented earlier.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance, as amended, to reinstate the $1 million allocation for the Liberty City Summer Youth Employment Program.

5G

151271 **Ordinance**

ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE STREET LIGHTING SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works & Waste Management)

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing and called for persons wishing to appear before the Board on the foregoing proposed ordinance.

Ms. Raquel Regalado, Miami-Dade County School Board member, 1850 SW 36 Avenue, Miami, expressed concern about the lack of process relating to the special taxing districts. She said the Commission had the opportunity to regain the public trust and create a better process, noting issues over the pooling of districts along with the use and mismanagement of funds. Ms. Regalado stated the outsourcing of service billing was not a solution to the problem, noting the problem was the actual numbers and the lack of available information. She said a forensic audit was needed, district by district, project by project, to determine the actual years people either overpaid or underpaid taxes and by how much. Ms. Regalado indicated that people living in a special taxing district had the right to be properly assessed and failure to do so was not dealing with the existing systemic problem. Additionally, Ms. Regalado said that administrative process guidelines needed to be created to include an administrative proceedings fee structure and a clear appellate process to resolve residents disagreements.

Mr. Mark Morris, 6361 Dolphin Drive, Coral Gables, noted his community guardhouse became operational five years ago and within that period the non-ad valorem taxes nearly doubled. He objected to unreasonable accounting practices, noting he was not able to receive any justification for the $1,752 increase from the Special Taxing District office. Mr. Morris reported that the fee was subsequently reversed as a result of his complaint.

Mr. Armando Gonzalez, 10425 SW 175 Street, Miami, noted his fence was broken during repairs to the sidewalk. Commissioner Moss reported that he was aware of Mr. Gonzalez' situation and was working with residents to ensure their issues were resolved.

Mr. Alfred Sasiadek, 463 NE 55 Terrace, Miami, Treasurer, Morningside Civic Association, indicated that not enough taxes were collected for two years and that the Association advised the Special Taxing District Office of the error. He noted the Association was later informed the error would be corrected in the following year; however, the 443 Morningside residents did not receive their trim notices until after the comment period had expired and the issue could not be addressed. Mr. Sasiadek said the underpayment was now being requested to be paid in one year rather than two years as previously advised, creating a hardship to residents on fixed incomes. He indicated that no details as to the cost escalation were provided and the Special Taxing District Office could not substantiate their $422,668 assessment.

County Attorney Cuevas advised that the public hearing on Agenda Item 5H could be closed; however, the public hearing on Agenda Items 5G, 5I and 5J needed to be continued until September 1, 2015, due to advertisement and notice issues.

Chairman Monestime closed the public hearing after no other persons appeared wishing to be heard.

It was moved by Commissioner Jordan that the foregoing proposed ordinance be adopted. This motion was seconded by Chairman Monestime.

County Mayor Gimenez presented a report entitled "Information Regarding Four Ordinances Approving the Rate Setting Process for Special Taxing Districts". (See Exhibits for the complete report.)

Mayor Gimenez requested the following considerations:

1) The Board allow the public to give testimony during the public hearing for the four (4) ordinances and continue the public hearing on the regularly scheduled Board meeting of September 1, 2015, which will allow for the re-notification of the affected property owners and re-advertisement of the continuation of the public hearing to September 1, 2015, in compliance with both State Statute and County Code.

2) The Board adopt Agenda Item 5H, which would set the Special Assessment District Rates For Special Taxing Districts remaining flat, including but not limited to Street Lighting, Security Guard, Multipurpose Maintenance, and Capital Improvements/Road Maintenance Special Taxing Districts for FY 2015-2016; and

3) The Board accept the supplemental memoranda distributed as part of the June 30, 2015, Changes Memorandum incorporating any adjustments to rates that were a function of work that had continued since the ordinances were heard for First Reading, noting the nine adjustments proposed with Agenda Items 5G, 5H, 5I and 5J would be lowed or returned to the previous year's rate.

Mayor Gimenez concluded that future rate setting would be limited to cost of living requirements or the cost of any improvements requested by residents. He said that any construction improvement request that was not contemplated or addressed by ordinance would not be completed without an election of District residents. Mayor Gimenez ensured the Board and residents that the Administration would continue to work to address all resident questions and provide them with the requested information. He apologized to the residents that were negatively affected, noting the problem would be fixed and should not happen again in the future. Mayor Gimenez said that there would be future rate increases and that districts would be properly notified of those increases. He indicated that special taxing district residents were being charged for services they have received or were about to receive, and that County taxpayers could not subsidize the services received by these residents.

Commissioner Levine Cava indicated that she understood the problem might go back 20 years and was a violation of the public trust. She stated it was clear that the County was deficient in notifying residents that they lived in a special taxing district and needed to pay for certain services. Commissioner Levine Cava said that a forensic audit was needed, noting it was disturbing to learn that residents were not given answers as to use of the funds. She indicated that a more active public disclosure and education process on tax bills was needed. Commissioner Levine Cava agreed that an appellate process was also needed. She said residents had options to reduce costs, such as reducing the number of hours security guards were used. Commissioner Levine Cava commented that short-term solutions were needed that would give homeowner's a grace period, a one-time amnesty or an opportunity to spread out the payments.

Assistant County Attorney Jorge Martinez-Esteve responded that pursuant to

County Charter, all County funds for special taxing districts shall be provided by service charges or assessments within the districts themselves.

Mayor Gimenez added that no General Fund dollars were ever used in any of the special taxing districts and could not be used for this purpose. He explained that the special taxing districts were considered in a pool; however, stated that each special taxing district would now be accounted for individually. Mayor Gimenez pointed out that surpluses from one district should not have been applied to other areas and that this process would not continue.

Commissioner Levine Cave inquired whether any accommodation could be made to address previous issues and appropriate corrections be made to the current year according to the applicable rules.

Mayor Gimenez responded that there needed to be a complete reconciliation so that residents living in special taxing districts paid exactly what they should be paying, noting that one area could not subsidize another.

Responding to Commissioner Levine Cava's question about failure to pay bills, Assistant County Attorney Martinez-Esteve said that assessments were collected pursuant to the same procedure as ad-valorem taxes. He said any payment not received by April 1st would be considered delinquent and a tax certificate sold on June 1st.

Commissioner Sosa questioned whether there were any tax increases in the foregoing proposed ordinance. She also questioned whether any of the special taxing district funding was used for anything other than the intended purpose.

Mayor Gimenez responded that 800 out of the 1,060 special taxing districts had a flat tax rate. He said that all money within the special taxing district was spent within special taxing districts, but not specific to each special taxing district. He noted surpluses would not occur in the future because each special taxing district would be accounted for individually.

Commissioner Sosa said she did not support the use of General Fund dollars for special taxing districts. She questioned whether there would be a process to prevent certain special taxing districts from benefiting from others.

Mayor Gimenez pointed out that there would be a public hearing held on September 1, 2015, for residents to appeal the special taxing district assessments. He indicated that billing errors were identified where some special taxing districts were billed too much and others too little, noting each district was different with unique circumstances.

Commissioner Sosa stated that alternatives needed to be offered to help residents with their special taxing district assessments, noting the increases based upon someone's mistake could be drastic.

Mayor Gimenez noted the increase would be less than $100 per year for 97 percent of the impacted residents. He said he was looking for alternatives and recommendations but has not yet found a solution.

Commissioner Zapata indicated that he expressed concern about special taxing districts with Deputy Mayor Alina Hudak in November 2014. He said he could not support establishing rates when we did not know how the money

was spent. Commissioner Zapata stated that special taxing districts were subsidizing the County and that there was cross subsidizing between special taxing districts. He expressed concern that the Board could not move forward until the auditor's report was received and the past problems addressed. Commissioner Zapata said there were no existing policies and procedures, and that collecting money from taxpayers for past mistakes was not the right thing to do. He stated that he requested the Inspector General to look into this issue.

Commissioner Bovo inquired whether action on the foregoing proposed ordinance could be delayed along with the other items, noting constituents were considering options to dismantle special taxing districts.

County Attorney Cuevas responded that action on this proposal could be deferred and the public hearing continued until September 1, 2015, at 9:30 a.m.

It was moved by Commissioner Bovo that the public hearing for Agenda Items 5G, 5H, 5I and 5J be continued until September 1, 2015, at 9:30 am. This motion was seconded by Commissioner Sosa.

Commissioner Edmonson concurred on the deferral request, noting her constituents were not aware they were being taxed as a special taxing district.

Commissioner Suarez requested and a friendly amendment to the motion to defer was accepted for the Internal Auditor to provide an opinion by September 1, 2015.

Commissioner Heyman indicated that she had numerous special taxing districts in her district; that she would not be present on September 1, 2015; and that she wanted to have the opportunity to vote on these items.

County Attorney Cuevas suggested allowing public hearings on all items on September 1, 2015, at which time it could be determined whether to vote on the item.

Commissioner Sosa asked Mr. Charles Anderson, Commission Auditor and Deputy Mayor Edward Marquez on behalf of the Finance Department to determine whether the assessment of flat fees covered only the direct costs required by the specific taxing districts in order to ensure County residents were not being assessed rates and assessments subsidizing other taxing districts.

Hearing no further questions or comments, the Board proceeded to vote to defer the foregoing proposed ordinance and continue the public hearing to the meeting of September 1, 2015.

6/2/2015		Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners
6/2/2015	4P	Adopted on first reading by the Board of County Commissioners

5G SUPPLEMENT

151558 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING ORDINANCE ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR STREET LIGHTING SPECIAL TAXING DISTRICTS

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

5H

151272 **Ordinance**

ORDINANCE APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT RATES FOR SPECIAL TAXING DISTRICTS, INCLUDING BUT NOT LIMITED TO, STREET LIGHTING, MULTIPURPOSE MAINTENANCE, SECURITY GUARD, AND CAPITAL IMPROVEMENTS/ROAD MAINTENANCE SPECIAL TAXING DISTRICTS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; AND PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Public Works & Waste Management)

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4Q	*Adopted on first reading by the Board of County Commissioners*

5H SUPPLEMENT

151557 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING THE ORDINANCE APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT RATES REMAINING FLAT FOR STREET LIGHTING, MULTIPURPOSE MAINTENANCE, AND SECURITY GUARD, AND CAPITAL IMPROVEMENTS/ROAD MAINTENANCE SPECIAL TAXING DISTRICTS

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

5I

151274 **Ordinance**

ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE SECURITY GUARD SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works & Waste Management)

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4R	*Adopted on first reading by the Board of County Commissioners*

5I SUPPLEMENT

151559 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING ORDINANCE ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR SECURITY GUARD SPECIAL TAXING DISTRICTS

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

5J

151275 **Ordinance**

ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works & Waste Management)

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4S	*Adopted on first reading by the Board of County Commissioners*

5J SUPPLEMENT

151556 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING ORDINANCE ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICTS

Continued
Mover: Esteban L. Bovo, Jr.
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The public hearing was opened and continued to the September 1, 2015 Board of County Commissioners meeting and Board consideration after the conclusion of the public hearing.*

Note: See Agenda Item No. 5G, Legislative File No. 151271 for the complete discussion.

5K

151086 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS PALMERA AT CORAL WAY STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-50
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4G	*Adopted on first reading by the Board of County Commissioners*

5K1

151087 **Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS PALMERA AT CORAL WAY STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works & Waste Management)

Adopted
Resolution R-546-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5L

151066 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS KEYS CROSSING APARTMENTS MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-51
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

5/19/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
5/19/2015	4F	*Adopted on first reading by the Board of County Commissioners*
6/2/2015	5D	*Deferred by the Board of County Commissioners*

5L1

151073 **Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS KEYS CROSSING APARTMENTS MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO (Public Works & Waste Management)

Adopted
Resolution R-547-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/2/2015	5D1	*Deferred by the Board of County Commissioners*

5M

151171 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS HILLEL PLAT STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-52
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4H	*Adopted on first reading by the Board of County Commissioners*

5M1

151172 **Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS HILLEL PLAT STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works & Waste Management)

Adopted
Resolution R-548-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5N

151199 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS BONITA ESTATES MANSIONS SOUTH STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-53
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4K	*Adopted on first reading by the Board of County Commissioners*

5N1

151200 **Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS BONITA ESTATES MANSIONS SOUTH STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO (Public Works & Waste Management)

Adopted
Resolution R-549-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5O

151257 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS DORAL COMMONS RESIDENTIAL AND DORAL COMMONS COMMERCIAL MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-54
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4O	*Adopted on first reading by the Board of County Commissioners*

5O1

151258 **Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARY OF A SPECIAL TAXING DISTRICT KNOWN AS DORAL COMMONS RESIDENTIAL AND DORAL COMMONS COMMERCIAL MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works & Waste Management)

Adopted
Resolution R-550-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolutions, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5P

151228 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Withdrawn
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/2/2015 4N *Adopted on first reading by the Board of County Commissioners*

6/2/2015 *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

5Q

151209 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS ATLANTIC VILLAS AT KENDALL MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-55
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

6/2/2015 4M *Adopted on first reading by the Board of County Commissioners*

6/2/2015 *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

5R

151206 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS THREE LAKES APARTMENTS MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 15-56
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

6/2/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
6/2/2015	4L	*Adopted on first reading by the Board of County Commissioners*

5S

151227 **Resolution** **Juan C. Zapata**

RESOLUTION APPROVING A RELEASE OF COVENANT FOR ENVIRONMENTALLY ENDANGERED LANDS OWNED BY JACQUELINE ANN ROSE WITH FOLIO NUMBERS 30-4918-001-0275 AND 30-4918-001-0280 IN MIAMI-DADE COUNTY, FLORIDA AND AUTHORIZING MAYOR TO EXECUTE SAME (Regulatory and Economic Resources)

Adopted
Resolution R-551-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing. Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/10/2015	3I	*Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

5T

150084 **Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING THE REGULATING PLANS, DEVELOPMENT PARAMETERS, AND NON-CONFORMING USE PROVISIONS FOR THE MODEL CITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.99.43, 33-284.99.44 AND 33-284.99.46, CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Amended

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

The following members of the public appeared before the Board to speak on the foregoing proposed ordinance:

Ms. Valencia Gunder, 20621 NW 17 Avenue, Miami Gardens, spoke on behalf of a small grassroots organization assisting homeless individuals. She noted concern about Liberty Square residents being displaced and becoming homeless as a result of the new development as proposed in the foregoing item. Ms. Gunder asked the County Commission to develop a plan that would ensure the complete involvement of the community in the proposed development and ensure residents would not be displaced.

Mr. James Mungin II, 1860 NW 86 Terrace, Miami, noted the need to consider job opportunities and local small business in relation to the Liberty Square project and the surrounding community.

Mr. Daniel Agnew, 280 NW 42 Street, Miami, addressed the need for residents to have input into the project's development and to return to Liberty Square upon the project's completion.

Mr. Francois Alexandre, 1060 NE 80 Street, #2, Miami, spoke on concerns about promises made but not kept in relation to the revitalization and redevelopment of Liberty Square. He stressed the need to provide local residents with employment opportunities.

Mr. Emmanuel George, 17 NE 2 Avenue, #106, Miami, asked that the needs of the local residents be considered in relation to the Liberty Square projrct.

Mr. Brian Dennis, 2410 NW 170 Terrace, Miami, noted $100 million was found to tear down the Liberty Square Project but there was not $100 million found to help its residents. He pointed out the homelessness issue associated with the U.S. Department of Housing and Urban Development's "One Strike" policy wherein, the housing benefits received by parents were lost if their child became in trouble with the law. Mr. Dennis said there were three blocks with almost $6 million work of vacant property with no progress being made.

Commissioner Edmonson noted she was proud of the young men speaking today (6/30) and their willingness to become involved in political issues. She invited them to her upcoming community meetings and encouraged them to become more involved.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance, as amended.

It was moved by Commissioner Edmonson that the foregoing proposed ordinance be adopted, as amended, to 1) adopt technical amendments to the Model City Urban Center District, and 2) withdraw the portion related to intensification of projects adjacent to the Metro Rail Station Urban Center. This motion was seconded by Chairman Monestime, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Bovo, Sosa, Souto and Suarez were absent).

The amended version of this ordinance has been assigned Ordinance No. 15-57.

Note: The foregoing proposed ordinance was adopted on July 1, 2015.

2/3/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*
2/3/2015	4E	*Adopted on first reading by the Board of County Commissioners*
3/17/2015	5F	*Deferred by the Board of County Commissioners*
4/21/2015	5E	*Deferred by the Board of County Commissioners*
5/5/2015	5B	*Deferred by the Board of County Commissioners*

5U

151137 **Resolution**

RESOLUTION APPROVING THE PLAT OF CRESTVIEW WEST, LOCATED IN THE NORTH 1/2 OF SECTION 20, TOWNSHIP 55 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 136 STREET, ON THE EAST APPROXIMATELY 890 FEET WEST OF SW 157 AVENUE, ON THE SOUTH BY THE SEABOARD AIRLINE RAILROAD, AND ON THE WEST BY SW 162 AVENUE) (Regulatory and Economic Resources)

Adopted
Resolution R-552-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/2/2015	5H	*Deferred by the Board of County Commissioners*

5V

151424 **Resolution**

RESOLUTION APPROVING THE PLAT OF ATLANTIC VILLAS AT KENDALL, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 55 SOUTH, RANGE 39 EAST, AND THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 55 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY THEORETICAL SW 166 TERRACE, ON THE EAST BY SW 137 AVENUE, ON THE SOUTH BY THEORETICAL SW 169 STREET, AND ON THE WEST APPROXIMATELY 350 FEET WEST OF THEORETICAL SW 138 AVENUE) (Regulatory and Economic Resources)

Adopted
Resolution R-553-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5W

151426 **Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF TUYA, LLC, D-23282, LOCATED IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 54 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH APPROXIMATELY 840 FEET SOUTH OF NW 6 STREET, ON THE EAST BY NW 137 AVENUE, ON THE SOUTH APPROXIMATELY 270 FEET NORTH OF THEORETICAL NW 2 STREET, AND ON THE WEST BY THEORETICAL NW 138 AVENUE) (Regulatory and Economic Resources)

Adopted
Resolution R-554-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5X

151427 **Resolution**

RESOLUTION APPROVING THE PLAT OF NIRMA SUBDIVISION, LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 54 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH APPROXIMATELY 85 FEET SOUTH OF SW 32 LANE, ON THE EAST APPROXIMATELY 225 FEET WEST OF SW 148 AVENUE, ON THE SOUTH BY SW 34 STREET, AND ON THE WEST APPROXIMATELY 225 FEET EAST OF SW 149 AVENUE) (Regulatory and Economic Resources)

Adopted
Resolution R-555-15
Mover: Sally A. Heyman
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing on the foregoing item, and seeing no persons appear wishing to be heard, closed the public hearing.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

5Y

151441 **Resolution**

RESOLUTION DECIDING THE APPEAL BY BAY HARBOR CONTINENTAL, INC. AND P3 INVESTMENTS, LLC OF THE DECISION BY THE MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD TO DESIGNATE BAY HARBOR CONTINENTAL, LOCATED AT 1135 103 ST, BAY HARBOR ISLANDS, MIAMI-DADE COUNTY, FLORIDA, AS A MIAMI-DADE COUNTY HISTORIC SITE (Clerk of the Board)

Adopted
Resolution R-556-15
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 8- 2
No: Jordan, Cava
Absent: Sosa, Souto, Bovo, Jr.

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Monestime opened the public hearing and called for persons wishing to appear before the Board on the foregoing proposed resolution.

Clerk of the Board Director Christopher Agrippa swore in the witnesses and interpreters.

Mr. Neisen Kasdin, Akerman LLP, One Southeast Third Avenue, Suite 2500, Miami, Attorney representing Bay Harbor Continental, Inc. (BHC Inc.), and P3 Investments LLC (P3), appeared before the Board. He stated that this was an appeal of the Miami-Dade County Historic Preservation Board's (HPB) designation of the Bay Harbor Continental (BHC). Mr. Kasden requested that the County Commission grant the appeal based on the fact that the overwhelming majority of BHC residents (shareholders) voted to sell the building to raise money for personal needs, and to oppose the historic designation of the property. He said the homeowner's hardship was the principal basis on which the appeal should be granted; however, it must be noted there was an abuse or manipulation of the process which called for the Commission to overturn the decision. Mr. Kasdin indicated that staff acted in good faith, but provided the opportunity for a few residents to manipulate the process for personal gain and to hide that fact under the noble cause of preservation.

Mr. Kasdin stated that the owner and majority of residents opposed historic designation. He explained that BHC was a co-op and not a condominium which was created and owned since 1959 by BHC Inc. Mr. Kasdin said 86 percent of shareholders (building owners/residents with a leasehold interest) voted to sell the property, and that over 70 percent of shareholders submitted affidavits, as distributed at today's (6/30) meeting, opposing designation. He indicated that there was no outreach to BHC shareholders before the HPB took action, contrary to the mandate of the County Code. Mr. Kasdin noted most residents were elderly, on fixed incomes and their hardship was completely ignored and not given proper consideration.

Mr. Kasdin pointed out that the Town of Bay Harbor Islands (BHI) passed a resolution supporting the foregoing appeal, noting a copy of the Town's resolution was also distributed at today's (6/30) meeting. He said BHI specifically requested that the County Commission overturned the historic designation. Mr. Kasdin presented a petition signed by 300 BHI residents opposing BHC's historical designation.

Mr. Kasdin explained that the co-op was built in 1958 by BHC Inc.; that the County initiated the consideration of a historic designation in 2010; that the request was withdrawn due to residents' opposition in 2011; and that BHC owners entered into a contract to sell the property in 2013 and 2014 with 86 percent of owners voting for the sale. He pointed out that the designation proceedings commenced in February 2015 without any notice to residents and the County Commission's actions were based on an invalid petition filed by a non-owner of the property, noting only an owner could do so. Mr. Kasdin said that staff submitted its designation report on moratoriums in March 2015; that the property was designated as historical in April 2015, despite the opposition of property owners, the majority of its residents, and a clear and unrefuted demonstration of economic hardship.

Mr. Kasdin pointed out that an appeal was subsequently filed, noting a lack of

due process was provided to residents and owners with no public notice of the February 2015 County Commission meeting where the designation proceedings began. He indicated that the BHC item was not on the meeting agenda and no public comment was allowed regarding the invalid petition filed without notice with residents not given the opportunity to speak. Mr. Kasdin explained that the designation was based on an invalid petition, noting Section 16A10 of the County Code, which provided that a property owner may petition the Board's designation of their property. He said an owner was someone entitled, noting property title was owned by BHC, a co-op. Mr. Kasdin stated three minority shareholders filed the petition, noting the petition was not proper and should have never been accepted or considered. He explained that co-op shareholders owned a share in the corporation that owned the property and residents received a leasehold interest in the unit they occupied; therefore, the only owner is the co-op itself. Mr. Kasdin noted there was no legal title to the units in any of the residents; therefore, the shareholders could not initiate a petition. He indicated that the proceedings were afforded no process; that the meetings were held in favor of designation; and that pro-designation speakers received more time to speak than residents who objected.

Mr. Kasdin noted substantial deficiencies existed in the building, with major upgrades needed to comply with the safety code, including the rising of the first floor to base-flood elevation, should there be significant renovations. He noted the cost of renovations would be $8 million.

Mr. Brad Rinzler, 201 Alhambra Circle, Coral Gables, noted he was a licensed contractor and Senior Project Manager with Odebrecht USA Construction with thirty years project and construction management experience. He summarized the findings of a BHC Site Inspection dated April 8, 2015; reviewed the Structural Recertification Report dated May 22, 2015; and the ERF Construction Group report estimating the cost to rehabilitate the building. Mr. Rinzler noted several issues which were not considered on any of those reports, and addressed the following concerns: 1) serious structural cracks, face breaches, and delamination of soil settlement on the seawall's concrete cap, which were consistent with a report received from the Town of Bay Harbor Islands; 2) signs of deterioration, cracks, spalling and corrosion of internal reinforcement on the 57-year old reinforced concrete building structure; 3) blisters and bubbles observed in the roof membrane at various locations, which were expected to continue as the blisters deteriorate further; 4) ground floor flooded during storms and high tides, with rising water from concrete flooring cracks; and 5) cracks in the decorative concrete balcony protection railing, which did not appear to meet the current building code; and 6) serious deficiencies in the plumbing and electrical systems. Mr. Rinzler reported that the estimated cost to rehabilitate the property, based on these findings would be an additional $1.5 to $2 million added to the original estimate.

Mr. Kasden stated that the total cost would be $8 million inclusive of Mr. Rinzler's estimate with a $200,000 per-unit cost.

Mr. Anthony Graziano, State of Florida Certified General Real Estate Appraiser, Integra Realty Resources, 2600 Douglass Road, Coral Gables, stated an analysis of the property was conducted. He explained that the property was a 1.13 acre site located at the northern tip of Bay Harbor Island and comprised of 35 units (25 – 1 bedroom units, 750 square feet each and 10 – 2 bedroom units, 1,000 square feet each). Mr. Graziano pointed out that the restrictions imposed by the HPB would preclude redevelopment of the

property. He reasoned that if the current value of the property was greater than the redeveloped value and preservation was rejected, then the property value remained as is. Mr. Graziano spoke of similar unit sales over the last two years ranging from $160 to $285 per square foot, estimating the value of BHC units at $275 per square foot, making one bedroom units worth $210,000 and two bedroom units worth $275,000. He noted two sales within the building, one in 2012 for $215,000 and another in 2013 for $200,000; and that the estimates were forward-looking based upon the improving real estate market. He concluded that the combined unit value was currently $7.9 million, taking into account the age of the property, but not the $8 million in deferred maintenance costs disclosed today (6/30).

Mr. Graziano pointed out there was a current offer to redevelop the land at $16.5 million and the decision to oppose preservation represented a $8.6 million hardship. He said that Transfer Development Rights sales equated to approximately $150,000 which was far less than needed to cure deferred maintenance issues and not enough to accommodate the $8.6 million loss. Mr. Graziano concluded that there was a severe economic hardship that would impose a 10 -15 percent short term impact on value. He concluded that there was a 50 percent reduction to the current opportunity cost associated with the property.

Mr. Kasden noted this was a single building located in a residential neighborhood that can only be used as an apartment building. He said there was a $8.6 million economic impact to unit owners who were elderly and some on limited income. Mr. Kasden stated that owners did not have the funds to adequately maintain the building.

Mr. Michael Hartman, 1135 103 Street, Unit A2, Bay Harbor Islands, Bay Harbor Continental Vice President, representing BHC Inc., said that 86% of shareholders voted for the sale, noting it was a good deal for residents, many whom were on fixed incomes. He indicated that the residents could not afford to remain in the buildings because of the amount of work needed to be done, and the associated costs. He said the BHC historic designation needed to be overruled.

Mr. Kasden reported that residents who support the historic designation also claimed they were experiencing economic hardships, which should not be considered by the Board, noting the economic hardship, as referred to in the County's Code was based upon the hardship of the government action, i.e. the designation of the property. Mr. Kasden noted a hardship was created either by the designation of the property prohibiting demolition or by the denial of a Certificate of Appropriateness allowing demolition. He said those who supported the designation did not have proper standing to allege hardship. Mr. Kasden pointed out that P3 incurred approximately $2.1 million in costs, and that the designation would impose an economic hardship as they entered into a contract to purchase the property prior to the designation process.

Mr. Robert Chisholm, Chairman, RE Chisholm Architects, Inc., 4921 SW 74 Court, Miami, presented his opinion relating to BHC's architectural and historic significance. He pointed out that the detailing of the building was rather common and unoriginal in nature; that there were no significant historic architectural or other historical contributions; and that the building was a very weak example of the reigning years of Miami Modernist architecture (MiMo). Mr. Chisholm said BHC by definition and example was not a strongly original design and if anything, it reinforced the incoming minimalist movement in the 1970s.

Mr. Kasden indicated that the preservation value of the building was not great; however, there were other values to consider. He noted the desire of the Bay Harbor Island community, the creation of jobs, the introduction of a new design, as well as the human and economic hardships experienced by the vast majority of residents/owners of BHC, all needed to be considered. Mr. Kasden said it was not inconceivable to reverse the HPB's decision when looking at the minimal preservation value versus human value and cost to preserve the building. He noted the County had never designated an individual property as historic against the will of the owners, with the exception of the Seashore Villas in Surfside.

Ms. Nicole Nelson, Esq., Attorney at Law, 1900 N. Bayshore Drive, Miami, representing BHC unit owners opposed to the appeal, appeared in favor of the BHC's historic designation. She indicated that Mr. Kasden represented that there was a majority of owners interested in selling the building and opposed to the historic designation; however, she did not see any document to confirm the contention that 86 percent of owners were opposed. Ms. Nelson noted 37 percent of owners supported the designation and 62 percent of full time residents wanted to stay in their homes and preserve the building.

Ms. Nelson pointed out that the $8.6 million economic impact presented by Mr. Kasden was based upon a cursory inspection performed by a contractor without historic building or multi-family home experience. She said the building just received its 40-year recertification for structural soundness and electrical safety, noting $400,000 was spent to maintain the building over the last couple of years. Ms. Nelson indicated that Mr. Kasden and his team manipulated the maintenance costs to appear larger than they actually were and that those residents were being strong-armed out of the building to make way for a larger development.

Ms. Nelson said that the building was sufficiently maintained; that the elevator shaft and concrete repairs were completed; and that only cosmetic and interior repairs remained. Ms. Nelson noted Mr. Kasden was contending that either the building was responsible for interior decoration, or that the residents would be required to simultaneously redecorate and renovate their own homes. She stated that owners could not afford to pay additional maintenance costs, noting the $100 monthly assessments. She referred to the estimates from the real estate appraiser, and she pointed out that only one unit was used in the foreclosure data and that there were no sales in the building over the last few years. Ms. Nelson pointed out that every unit had an open view to Biscayne Bay and residents did not want to sell. She said other units in the neighborhood sold between $300 and $600 per square foot, and that the manipulation of the numbers and false information was unfair to residents who wanted to remain in their homes.

Ms. Nelson stated that it was a violation of the minimum standards for an ordinance to exempt an otherwise historic property from historic regulation or designation just on the basis that the owner did not consent. She said the County Commission already ruled that owner consent was not a deciding or relevant factor in designating a building as historic. She indicated the HPB were experts, they knew what was historic, and designated the property properly. She said that the hardship to P3 was completely irrelevant to the residents' economic hardship; that P3 conducted its due diligence; that this was the risk they took as potential investors; and that they were not owners, shareholders or residents. Ms. Nelson noted pursuant to the Historic Preservation Code (Section 16A4-(14)) and the Florida Cooperative Act

(Statute 719.10326), the residents/shareholders and anyone on the Miami-Dade County tax roll were property owners. She pointed out that co-op owners were property owners and had a right to petition for their building to be designated as historic. She stated that it was three unit owners who petitioned for the building to be designated as historic; one was the Board's president and another a co-op board member, whom were long-time owners that wanted to continue living in their homes and appreciated the historic value of their building.

Ms. Nelson said the HPB accepted the owners' petitions at the February meeting. She noted both sides were heard at the meeting in which the HPB overwhelmingly decided that the building would be designated as historic. She pointed out that the legislative intent of the Historic Preservation Code was to protect and enhance properties with historical, cultural and architectural merit, noting the property exhibited a unique value. Ms. Nelson noted people were tired of handing over things of value to people with deep pockets so that those pockets could get deeper. She said all fifty states decided that they needed to have historic preservation; noting buildings needed to be protected and people stopped from providing false information about historic designation and the decrease in value. Ms. Nelson indicated that historic designation would increase property and cultural values, as well as preserve our heritage and history.

Mr. Carlos De La Torre, 1135 103 Street, G1, Bay Harbor, noted he was an original petitioner for historic designation and subject to a P3 lawsuit. He noted copies of the PowerPoint presentation and letters from resident/owners who supported historic designation and wanted to remain in the building had been distributed. Mr. De La Torre described the definition of a property owner according to Section 16 A-4 of the County Code, noting all petitioners were reflected on the County tax roll as required by ordinance and undue economic hardship would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owners property without just compensation. He said the original contract sales price was $16.5 million; however the sales proceeds after expenses was $8.189 million with the average unit owner receiving approximately $247,000, which he expressed was below market value. Mr. De La Torre said there were no guarantees that the Internal Revenue Service would consider tax mitigation. He pointed out that most owners wanting to sell did not live at BHC as their fulltime residence; that thirteen fulltime residents lived at BHC; that eight residents (62%) wanted to stay at BHC; and that five residents (38%) wanted to sell. Mr. De La Torre noted it was a hardship to move people that were sick that wanted to remain in their homes.

Mr. Kasden objected to the hardship testimony from someone opposing the appeal, noting hardship was a result of the government action which was the designation and had its own basis.

Assistant County Attorney Dennis Kerbel explained that the Section 16A12 addressed hardship from strict enforcement of the application of the ordinance to the property which would mean the designation. He said it appeared Mr. Kasden's argument was that if the property was not designated, then the action of the ordinance would not create a hardship on the property.

Commissioner Jordan inquired whether the hardship could be considered in the event the property was designated.

Assistant County Attorney Kerbel responded that it could be considered but it

would not be strictly the economic hardship consideration as set forth in the ordinance. He said there were specific requirements for making the argument that, notwithstanding the historic value of the property, there was an economic hardship to the owners if the ordinance applied to them and the property was designated. Assistant County Attorney Kerbel noted that hardship to a resident, by not making a designation, was more of an equitable argument weighing in favor of maintaining the criteria as to historic value of the property. He concluded that the ordinance, when it addressed hardship and the unique feature of hardship, was about whether designating the property as historic would place a hardship on the owners.

Commissioner Moss inquired whether Mr. Kasden's objection was valid.

Ms. Nelson stated she did not believe there was a valid objection in a quasi-judicial setting.

Assistant County Attorney Kerbel asked that Mr. Kasden to reframe his objection.

Mr. Kasden explained that only BHC property owners whose property was being designated historic could raise the argument and establish hardship and that the petitioner should not be able to introduce testimony as to hardship.

Ms. Nelson commented that she was refuting the arguments of owners who were opposed to historic designation.

Mr. Kasden noted Mr. De La Torre was trying to establish there was hardship on the part of the minority of individuals who supported historic designation and that there was not a financial hardship.

Commissioner Suarez suggested that the testimony continue and that the County Attorney would advise as to what aspects of the testimony should be ignored, rather than to argue a procedural issue.

Assistant County Attorney Kerbel concurred with Commissioner Suarez.

Mr. De La Torre said that the 64 percent of full time residents who lived in the building and wanted to stay were the ones who were going to be displaced. He proceeded to explain that the cost to maintain the building in its current and enhanced level of service over the next ten years was nowhere near the proposed $8 million. Mr. De La Torre indicated there was a $123,000 carryover in 2015 which would not be needed until 2017 for building maintenance, noting as an alternative, a 20 year loan could be issued that was paid over the life of the asset, and increasing payments by $20 monthly. He said that $252,000 would be needed in 2020 which could be acquired through another loan costing $106 monthly. Mr. De La Torre commented that the infrastructure could be maintained and replaced over a ten year period and the excessive cost associated with the flooding issues on the first floor would not be necessary. He described a decrease in maintenance cost over the next ten years.

Mr. De La Torre concluded there was a significant economic impact to shareholders if forced to sell, noting residents would receive below market values. He said that displacing residents to make way for more affluent populations was a case of gentrification; that there was no reason an owner could not sell their property and receive more than what was being offered by

the developer.

In response to Mr. Kasden's request to cross examine Mr. De La Torre, Assistant County Attorney Kerbel advised the Board to allow the objectors to present their case first, and that the opportunity to cross examine would be at the discretion of the Chair.

Mr. Kasden noted the right to cross examine was not discretionary in a quasi-judicial proceeding.

Assistant County Attorney Kerbel clarified that Mr. Kasden had the right to cross examine but the timing of that cross examination was discretionary.

Ms. Teri D'Amico, 9101 East Bay Harbor Drive, Bay Harbor resident, noted the BHC was known for its beautiful decorative masonry concrete block panels with color glass blocks, reflecting in the hallways and creating a Brise Soliels shading device. She pointed out that she created the term MiMo seventeen years ago and that BHC was designated as Bay Harbor Island's first historic building in 2015. Ms. D'Amico noted the breathtaking views of Biscayne Bay from the BHC and its large private balconies. She described the RM3 Zoning District; noting the buildings represented shared open space, creating broad views and tropical modern gardens style apartments. Ms. D'Amico noted the developer was planning on building a massive building surrounded by substantially smaller structures. She mentioned that a historical study was conducted by Bay Harbor Islands in 2006 which concluded that economic benefits were needed to promote historic designation and community pride. Ms. D'Amico pointed out that BHC was often used in articles and publications as an expample of MiMo architecture. She indicated that approximately 300 petitions were received from residents' opposed to developers changing the zoning and to stop the demolition of historic MiMo buildings. Ms. D'Amico noted Bay Harbor's East Island was reported by Cable News Network (CNN) as among Americas 11 Most Endangered Historic Places, using a photo of the BHC in that report. She also noted the National Trust for Historic Preservation indicated BHC's architecture was worthy of historic designation. Ms. D'Amico questioned the hardship since historic designation did not require unit owners to renovate. She pointed out that variances were given to historic properties in relation to the Federal Emergency Management Agency's (FEMA) fifty percent rule and that Transfer Development Rights (TDR) was available to compensate for the loss of property rights for historic property.

Ms. Laura Lavernia, Director, Dade Heritage Trust, 190 SE 12 Terrace, Miami, reported that only eleven properties over 50 years old were nominated annually for the National Trust for Historic Preservation's 11 Most Endangered list, noting BHC from Bay Harbor Islands was selected out of thousands of properties. She clarified that historic designation did not mean that property owners could not make changes to the interior of their properties; that property values were not necessarily lowered by historic preservation; that following a sale, the new property owner could apply for federal rehabilitation tax credits; and that ad valorem tax incentives were also offered by city and county governments. Ms. Lavernia pointed out that the 40 year recertification was needed regardless of the designation and that the sea wall repairs would be necessary without consideration of the building on the property.

Mr. William Lane, Architect, 1480 Marseille Drive, Miami Beach, reported the costs in the renovation report were very bogus, noting figures presented

by the contractor were based on a one-day walk-through and on a rough estimate. He said there was no evidence of lead-contaminated paint. Mr. Lane noted he believed that residents were being taken advantage of and that the fair market value was greater than portrayed. Hesaid each building in Bay Harbor Island contributed to the overall architecture of the neighborhood. Mr. Lane indicated that the character of the neighborhood would be lost if a building was torn down and recreated by adding effects. He said young professionals wanting to live in Miami were looking for unique and original properties.

Ms. Nelson pointed out that BHC's historic designation had massive support throughout the community with 300 names already submitted and with additional petitions submitted today (6/30). She expressed concern that information given to the community was being manipulated; convincing residents facing financial hardship that selling the building was their only option. Ms. Nelson said that undue influence and duress was illegal and people should be held accountable for the information being disseminated and held to a standard of responsibility for that information. She noted the truth about historical designation needed to be portrayed and people sufficiently informed. Ms. Nelson said BHC was the first building in Bay Harbor Islands to be designated historic and should be kept alive for future generations.

Mr. Kasden proceeded to cross examine Mr. De La Torre. He presented a petition entitled "Opposition to Historic Designation" filed in 2010 which stated: "we the owners of the building and the land of BHC are adamantly opposed to historic designation of our property" and inquired whether he signed that petition to which Mr. De La Torre said that he did. Mr. Kasden introduced a tape recording of Mr. De La Torre into the record from August 2014 where Mr. De La Torre stated that he was opposed to historic designation; that people's lives would be impacted; that the building would require a lot of future upkeep; and that unless there would be grants coming from the city to maintain this historical designation, he did not see why residents would have to carry the burden. Mr. Kasden noted Mr. De La Torre opposed the sale and wanted a special deal for himself.

Mr. De La Torre responded that he needed to support the sale, to talk bad about designation, and did not try to obtain a special deal. In response to Mr. Kasden's question as to why Mr. De La Torre changed his mind from originally opposing designation, Mr. De La Torre noted he took into consideration whether the building was worthy of saving.

Mr. Kasden noted Mr. De La Torre attended a February 18 hearing which was initiated as a result of his petition, a March 18 preliminary direction to issue the designation report, as well as April 15, May 20, and June 17 hearings, all held during normal working hours.

In response to Mr. Kasden's inquiry about Mr. De La Torre's employment, Mr. De La Torre reported that he was the Budget and Planning Manager for Miami-Dade Transit.

Ms. Nelson objected to Mr. Kasden's statement that Mr. De La Torre was supposed to obtain permission to take time off during the work day, noting this was a personal attack.

Assistant County Attorney Kerbel stated the current questioning was getting into areas not related to historic preservation. He said that although council was entitled to cross examination, they were not entitled to the full type of

cross examination allowed in a jury trial.

Mr. Kasden said his questions related to Mr. De La Torre's credibility.

Ms. Nelson stated that questioning was outside the scope of the items being discussed.

Assistant County Attorney Kerbel clarified that Acting Chair Jordan could decide how to proceed.

Acting Chair Jordan asked Mr. Kasden to limit his questions to the issue rather than the person.

Mr. Kasden stated he had no further questions for Mr. De La Torre.

Mr. Stanley Price, Town of Bay Harbor Island (BHI) Special Council, Bilzen Sumberg, 1450 Brickell Avenue, Suite 2300, Miami, indicated he was joined by BHI Mayor Jordan Leonard and Manager Ronald Wasson in support of the appeal filed by BHC, the property owner. He mentioned he was the principal author of the County's Historic Preservation Ordinance which was in existence for the past 35 years. Mr. Price pointed out that at the time of the ordinance's adoption, the issue whether it would apply countywide or permit local governments to make individual regulations was considered with a compromise that the County would establish minimum criteria for municipalities to adopt and to either opt in or out of the ordinance. The ordinance was later amended to allow larger municipalities to create their own ordinance or to have their own historic preservation ordinance, said Mr. Price. He said BHI decided not to create their own historic preservation board in 1980; however, noted the State of Florida amended the Local Government Planning Act in the late 1980's, requiring municipalities to have historic designation and historic preservation as part of the housing element. Mr. Price said that BHI adopted this State amendment into its comprehensive plan and designated several properties as historic. He noted local governments became responsible in the late 1980's for issuing all development orders that affected the use of a property and that in the early 1990's the 40 year certification became part of the County's building code.

Mr. Price said that BHI later tried to change the ordinance permitting local government to maintain the minimum criteria contained in the County Code by letting municipalities adopt it later. He indicated the locally effected municipality had the sole budgeting responsibility for that community, to determine whether the infrastructure needed repair or replacement, and how to pay for those replacements. Mr. Price said pursuant to State Statute Chapter 163, only local governments that had jurisdiction within their boundaries could issue a development ordinance affecting real property. He noted a non-elected Historic Preservation Board, with no BHI representation on that Board, was now making economic decisions for BHI and other jurisdictions.

Mr. Price said the Bert J. Harris Act permitted property owners who were unduly burdened by an act of government, to seek remuneration from the government that caused the act, noting it made no difference whether the government action was a valid police power. He indicated that there were consequences for that ruling, noting BHI had no control over the designation of properties that could cause possible economic problems for the community. Mr. Price noted BHI, by charter, limited the maximum building height to 75 feet. He concluded that the appellant made ample argument on

denial of due process and that any fair reading of the transcript was not a fair hearing.

Mr. Kasden refuted Mr. Nelson's testimony regarding owner support opposing the designation, referring to an Exhibit from Mr. Robert Kolbert, President, BHC. He noted affidavits and statements were presented from 70 percent of shareholders that they opposed historic designation. He asked BHC residents, owners and shareholders, in today's (6/30) meeting audience who opposed the designation to stand.

Mr. Kasden referred to BHC's entering into a contract to sell the property in April 2014; and spoke regarding Mr. De La Torre's remarks before the BHI Council opposing the historic designation. Mr. Kasden indicated Florida Statute 719.103 (12), spoke to the form of ownership of a cooperative, noting Mr. De La Torre and the other two petitioners who sought to designate the property were not owners of title, but had a beneficial interest as corporation shareholders. He reported that BHC never obtained the engineers report associated with the 40 year certification process; therefore, that report should not be considered because it was acquired by someone without authority.

Mr. Kasden asked Mr. Graziano to opine on Mr. De La Torre's statement regarding owners selling thier units individually versus collectively during the sale of the building.

In response to Ms. Nelson's objection to hearing from Mr. Graziano again, Assistant County Attorney Kerbel indicated the Chair had the discretion to let him speak and that there could be rebuttal witnesses.

Mr. Graziano noted Mr. De La Torre's testimony was misleading by an attorney who offered evidence to this quasi-judicial board. He indicated it was mentioned that Bay Harbor Island sales were between $300 and $600 per square foot; however, a recent closing in a newly constructed building revealed a sale price of $355 per square foot. Mr. Graziano noted 60 units listed for sale between $300 and $340 per square foot and almost 60 closings averaging $275 per square foot in the last year. He explained that his earlier testimony regarding the property's market value, noting Mr. De La Torre took the $16.5 million purchase price and deducted capital gains taxes, commissions, lawyer's fees and closing costs which would be required on any sale.

Ms. Nelson asked to make a statement to which Assistant County Attorney Kerbel advised that typically only the appellant had the right of rebuttal; and Acting Chair Jordan announced that she would proceed with public comments, limited to one minute each.

Mayor Jordan Leonard, Town of Bay Harbor Islands (BHI), 9665 Bay Harbor Terrace, Bay Harbor, 1239 7th Street, Bay Harbor (personal address), noted BHI passed a resolution supporting the appellant with a 5-2 vote. He pointed out that County staff applied for the National Historic Trust's 11 Most Endangered Sites designation without any due process or public notification. Mr. Leonard said BHI worked with County staff regarding designating properties; however, noted the process started with BHC after the County placed a moratorium on the building in 2010 and subsequently decided not to designate historic. He indicated that the property owners independently decided to sell the building; that they received multiple offers; and they decided to proceed with the project. Mr. Leonard said owners entered into a legally binding contract and at the last minute someone decided to make the

building historic. He mentioned the HPB needed more transparency, noting at least four percent of properties on East Island were being demolished out of fear of what the County may or may not do. Mr. Leonard noted that even though the County was not proceeding with an actual designation of East Island, one month after the County designated BHC as historic, the staff recommended that it could be demolished.

Mr. Charles Wallace, 9300 W. Bay Harbor Drive, Bay Harbor Islands, (not a BHC resident), appeared before the Board and spoke against historic designation.

Ms. Ileene Wallace, 9300 W. Bay Harbor Drive, Bay Harbor Islands, (not a BHC resident), former Bay Harbor Islands Mayor, spoke against historic designation. She noted many residents objected to the HPB, an autonomous power, dictating how they chose to live in their homes. Ms. Wallace stated that upholding the denial would remove the constitutional right of ownership in choosing how to live. She said the Town Manager was the appropriate person to help guide residents through the historic preservation process. Ms. Wallace noted the HPB should be redesigned and the appeal reversed.

Ms. Janice Silver, 10140 W Bay Harbor Drive, #201, Bay Harbor Islands (not a BHC resident), spoke against historic designation.

Mr. J Bruce Ehrenhaft, 3601 Toledo Street, Coral Gables, representing the Dade Heritage Trust (DHT), 190 SE 12 Terrace, Miami, (not a BHC resident), noted the BHC met multiple criteria for designation under the County's Historic Preservation ordinance. He said it would set a bad precedent for the Commission to reverse a historic designation approved by the HPB. Mr. Ehrenhaft stated the DHT strongly urged the Commission to deny the appeal and sustain the HPB designation.

Mr. Maurice Kirksey, 1135 103 Street, #5F, Bay Harbor Islands, (BHC resident), spoke against historic designation.

Mr. Frank Griffith, 1135 103 Street, #D3, Bay Harbor Islands, (representing Francis Griffith, a BHC resident), spoke against historic designation.

Mr. Morris Broad, 1030 Hardee Road, Coral Gables, (not a BHC resident), noted his father, Sheppard Broad purchased 250 acres of swamp in 1945 and subsequently developed Bay Harbor Islands and served as its first Mayor.

Ms. Lisa Mann, 1135 103 Street, #G3, Bay Harbor Islands, (BHC resident), noted she was one of the petitioners that originally brought forth the claim for the buildings historic designation. She stated she did not agree to sell the building; however, the main issue was whether the building was historic and should stay historic.

Mr. Albert Nehmad, 1805 215 Street, Bayside, New York, (representing his parents who are BHC residents), spoke in support of historic designation and against the appeal.

Mr. Solomon Nehmad, 1135 103 Street, #D1, Bay Harbor Islands, (BHC resident), spoke in support of historic designation.

Ms. Jennifer Schmieder, 1135 103 Street, #G1, Bay Harbor Islands (BHC resident), spoke in support of historic designation.

Ms. Florence Nehmad, 1135 103 Street, #D1, Bay Harbor Islands, (BHC resident), spoke in support of historic designation.

Ms. Clara Reed, 1135 103 Street, #C3, Bay Harbor Islands, (BHC resident), spoke in support of historic designation.

Ms. Leonor Kirksey, 1135 103 Street, #F5, Bay Harbor Islands, (BHC resident), spoke in support of historic designation.

Mr. Daniel Ciraldo, 1051 Michigan Avenue, #3, Miami Beach, (not a BHC resident), noted a letter was sent to BHC residents by an unknown entity which was full of false statements. He said BHC was a landmark, which met the criteria for designation, and needed to be saved.

Ms. Matti Bower, 1442 Jefferson Avenue, Miami Beach, (not a BHC resident), acknowledged the Commission for upholding the ordinance, noting the positive benefits to Miami Beach. She spoke in favor of historic designation.

Ms. Mary Peters, 1135 103 Street, #G2, Bay Harbor Islands, (BHC resident), noted she was opposed to the historic designation, and wanted to sell her home.

Ms. June Lantz, 1135 103 Street, #B1, Bay Harbor Islands, (BHC resident), noted she wanted to sell her home and was opposed to the historical designation.

Ms. Kathleen Clark Weinstein, 1135 103 Street, A4, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Elaine Zadeira, 3513 NE 169 Street, # F101, Miami, (not a BHC resident), appeared on behalf of Ms. Sofia Zadeika, 1135 103 Street, #E1, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Lourdes Gonzalez, 10301 E. Bay Harbor Drive, #10 & #11, Bay Harbor Islands, (not a BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Martha Boggiano, 10301 E. Bay Harbor Drive, #6, Bay Harbor Islands, (not ta BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Lillian Lee Hart, 1135 103 Street, #C2, Bay Harbor Islands, (BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation.

Ms. Gervaise Racine, 1135 103 Street, C5, Bay Harbor Islands, (BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation.

Ms. Becky McIver, 1135 103 Street, #F4, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation. She indicated Mr. De La Torre asked her to support BHC's historic designation for the sole purpose of stopping the building's sale. Mr. McIver said Mr. De La Torre's request was based upon the information about tax implications, noting he said he would do anything he could to crash the

deal.

Mr. Jeffrey Koster, 1135 103 Street, #F1, Bay Harbor Islands, (BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation.

Mr. David Gozlan, 1135 103 Street, #B2, Bay Harbor Islands, (BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation, noting Mr. De La Torre betrayed the residents once he became the Board President.

Mr. Franklin Harney, 10271 East Bay Harbor Drive, Bay Harbor Islands, (not a BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation.

Ms. Moyri Baez, 10301 E. Bay Harbor Drive, Bay Harbor Islands, (not a BHC resident) was called to speak but did not approach the podium to do so. She did however; state from her seat in the Commission Chambers that she was opposed to the historic designation.

Mr. Richard Schmaeling, 1135 103 Street, #E5, Bay Harbor Islands ,(BHC resident), spoke in support of BHC's sale and in opposition to the historical designation. He indicated that he also owned a property management company which provided management services to BHC. He noted the building required a lot of work due to essential repairs that were ignored or partially completed due to financial restraints.

Mr. Lance Ehren, 10301 E. Bay Harbor Drive, #5, Bay Harbor Islands, (not a BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation.

Mr. Leo Schattlack, 1135 103 Street, #G4, Bay Harbor Islands, (BHC resident), spoke in support of the BHC's sale and in opposition to the historical designation.

Mr. Bill Zucker, 1135 103 Street, #B4, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Gladys Sharshon, 1135 103 Street, #G4, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Margie Rossin, 1135 103 Street, #B5, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Mr. David Gross, 1135 103 Street, #B5, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Nydia Sarrain, 1135 103 Street, #D4, Bay Harbor Islands, (BHC resident), spoke in support of BHC's sale and in opposition to the historical designation.

Ms. Nina Korman, 1700 NE 105 Street, Miami Shores, (not a BHC resident), noted she was a journalist, historic preservation activist and author of the article entitled Bay Harbor Islands: From Swampy Marsh to Island Oasis that was presented earlier. She urged the Board to uphold BHC's historic

designation.

Mr. William Prevatel, 80 Park Avenue, New York, NY, (not a BHC resident), questioned the economic hardship of residents when they could freely sell their properties at any time at fair market value.

Ms. Christinea LaBuzetta, 301 Ocean Drive, #304, Miami Beach, (not a BHC resident), noted she was a location manager for photo shoots and film productions. She said that historic preservation resulted in increased property values and that those areas became special places where people wanted to live. Ms. LaBuzetta asked the Board to uphold BHC's historic designation.

There being no other persons wishing to appear before the Board, Acting Chair Jordan closed the public hearing.

Chairman Monestime resumed the Chair.

Commissioner Heyman agreed with the previous speakers about the significance of historic preservation and local accountability of historic preservation boards. She noted concern regarding representation, notice, lack of respect, lack of responsible negotiations with the Town of Bay Harbor Islands and its constituents. Commissioner Heyman pointed out there was a public meeting but local public officials were not included nor allowed to testify.

Commissioner Heyman noted BHC's withdrawal of historic designation in 2011 under the County's Historic Preservation jurisdiction, resulted in contractual agreement and expectation that the property would not later be designated and options for its use changed. She said there was such mistrust of Bay Harbor's HPB. Commissioner Heyman stated she was aware of neighbors bullying one another and noted the need for all parties to civilly engage in an open dialogue with the goal to save the building, and not make rushed decisions based upon fear of the unknown or underrepresented.

Commissioner Heyman pointed out she had numerous complaints that were forwarded to the Inspector General and that the HPB was supposed to make a decision based upon the original County Ordinance, sponsored by former County Commissioner Ruth Shack over twenty years ago. She said that the HPB needed neutrality; that she was disappointed in limited testimony; and acknowledged Ms. Kathleen Kauffman, Chief, HPB, and her staff for their efforts to increase transparency above what was required by the ordinance.

It was moved by Commissioner Heyman that the Board grant Bay Harbor Continental's (BHC) appeal. This motion was seconded by Commissioner Edmonson.

Assistant County Attorney Kerbel clarified that the motion was to approve the appeal and reverse the decision of the Historic Preservation Board to designate the property as historic.

Commissioner Levine Cava questioned the legal implication of not adhering to the sales contract inasmuch as the sale was approved by BHC residents and the designation was approved after the vote to sell.

Assistant County Attorney Kerbel advised that the sales contract was a private agreement between seller and buyer and therefore was not relevant to the

discussion. He indicated that nothing in the ordinance prohibited or prevented the sale of BHC from going forward. Assistant County Attorney Kerbel reported that criteria existed as to whether a building merited historic designation and whether to consider the economic hardship provisions of the ordinance.

In response to Commissioner Moss' inquiry, Ms. Kathleen Kauffman, Chief, HPB, reported that BHC was not designated historic when considered in 2010 and 2011 because of opposition from BHI and BHC residents. She indicated that the Board decided to withdraw the application for designation, noting the building was not in danger of demolition. Ms. Kauffman said it was not the intent of never bringing the application back again, noting the request was being presented because three of the owners petitioned the Board.

Commissioner Moss clarified that the HPB decided not to take the issue up because of the public outcry.

Ms. Kauffman noted the decision was made based on the need to further educate the owners or wait until it was a better time to readdress the issue.

Ms. Kauffman responded to a series of questions raised by Commissioner Jordan, clarifying that HPB staff brought forward the request for withdrawal after being approached by BHI community members in 2009 and 2010 who were concerned about the potential loss of significant buildings at that time. She noted applications were presented on two of the most important buildings on the north end of the island that were designed by Mr. Charles McKirahan as the result of an East Islands survey; that the HPB initiated historic preservation; and that the HPB tried to find designations that would not be controversial or adversarial.

Commissioner Jordan noted, and Ms. Kauffman confirmed, that the HPB decision to withdrew the previous applications for BHC's historic designation was based upon the community's division and staff's recommendation.

Ms. Kauffman said that staff recommended that the applications be withdrawn because there was opposition from the BHI, people in those buildings, and the desire to conduct more outreach to residents to build consensus since the buildings were not in danger of being demolished at that time.

Commissioner Jordan questioned whether or not the owners knew of the tax responsibility prior to signing the sales contract.

Mr. Kasden stated that the property was under contract for sale; that there was a tax consequence on the sale; and that the tax consequence would be the same regardless of whether units were sold individually or to someone else. He said BHC hired a tax advisor who developed a tax strategy to minimize taxes. Mr. Kasden stated that owners were aware of the tax responsibility, noting an adjustment was made on the timing of the sale.

Ms. Nelson pointed out that there was no prohibition on selling the property if the shareholders all agreed. She said the shareholders were not informed about the conditions of the sale and the tax consequences were never in writing.

Commissioner Jordan stated she believed that residents could have changed their mind because they did not have all of the information.

Mr. Kasden clarified the BHC had legal representation on the sale, the contract, and tax issues.

Mr. Nelson spoke regarding the significant amount of miss-information about the historic designation process.

Commissioner Barreiro asked the County Attorney to comment on the issue of individuals owning shares of a cooperative and not a unit.

Assistant County Attorney Kerbel, in response to Commissioner Barreiro request, stated that cooperatives were different than condominiums. He said the ordinance did not have a definition of owners or a required percentage of owners necessary for a multi-unit building. Assistant County Attorney Kerbel noted owner designated property was defined with reference to who was on the tax roll, pursuant to the ordinance. He said the HPB interpreted the ordinance as the owner with an interest in the property could file a historic preservation petition. Assistant County Attorney Kerbel noted the Board could develop a contrary interpretation to require a vote of the majority of property owners. He reported there was evidence in the record before the HPB that the petitioners were on the tax rolls as owners of the real property. Assistant County Attorney Kerbel said the Board could choose to decide whether the corporation needed to be the petitioner or interpret the ordinance to apply to someone with a property interest.

Commissioner Barreiro said the Board needed to consider how it interpreted cooperatives in all issues coming before them in an effort to be consistent.

Commissioner Diaz concurred with Commissioners Barreiro and Heyman, noting the need for a holistic approach in designating property as historic. He inquired whether BHC was currently designated as historic, and if so, when it was designated as such

Assistant County Attorney Kerbel responded that BHC was designated historic by the HPB after BHC entered into a contract for sale of the building.

Commissioner Diaz concurred with Commissioner Levine Cava's earlier comments, noting he believed in people's property rights and would support Commissioner Heyman's decision to grant BHC's appeal.

Chairman Monestime requested clarification as to the different interpretations as to who represented a cooperative owner and who was qualified to enter into a contract.

In response to Chairman Monestime's inquiries, Assistant County Attorney Kerbel stated that the ordinance addressed petitions by owner or petitions by the HPB. He reported that a cooperative was a corporate body; therefore, the corporation would enter into the agreement or however it was designated in the building's corporate records. Assistant County Attorney Kerbel indicated that the contract was binding upon the corporation, assuming it was a legally valid agreement. He stated any recourse, should a majority of cooperative members (the corporation) decide to cancel the contract would depend on the corporation bi-laws as to the determination of a legally binding agreement.

Chairman Monestime inquired whether Administration confirmed that 86 percent of owners approved the property sale and whether the historic designation was proffered after the contract was executed.

Ms. Kauffman reported that BHC had the 86 percent ownership consent at the time they entered into the original agreement, noting that while she did not have confirmation, the vote had subsequently changed. She said the original closing on the sale was scheduled for was September 2014, but was delayed as a result of the tax issue. Ms. Kauffman indicated that BHC petitioned the Board in February 2015, and that BHC would not have been able to apply for historic preservation had the closing occurred in September 2014.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The Board by motion duly made, seconded and carried, approved the foregoing appeal, and reversed the decision of the Historic Preservation Board.

6A CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS

6B POLICY MATTERS FOR DISCUSSION BY THE BOARD

7 ORDINANCES SET FOR SECOND READING

7A

150589 **Ordinance** **Sally A. Heyman,**
Daniella Levine Cava,
Audrey M. Edmonson,
Barbara J. Jordan,
Jean Monestime

ORDINANCE RELATED TO CIVIL PENALTIES FOR CERTAIN MISDEMEANOR VIOLATIONS; AMENDING SECTIONS 21-81, 8CC-5.1 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CIVIL PENALTIES FOR THE COMMISSION OF CERTAIN MISDEMEANORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 11A10] ***Amended***

Report: *Note: See Agenda Item No. 7A Amended, Legislative File No. 151584, for the amended version.*

3/20/2015		*Requires Municipal Notification by the Board of County Commissioners to the Metropolitan Services Committee*
4/21/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Metropolitan Services Committee*
4/21/2015	4D	*Adopted on first reading by the Board of County Commissioners*
4/24/2015		*Municipalities notified of public hearing by the Board of County Commissioners to the Metropolitan Services Committee*
6/10/2015	1G1	*Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

7A AMENDED

151584 **Ordinance** **Sally A. Heyman,**
Daniella Levine Cava,
Audrey M. Edmonson,
Barbara J. Jordan,
Jean Monestime

ORDINANCE RELATED TO CIVIL PENALTIES FOR CERTAIN MISDEMEANOR VIOLATIONS; AMENDING SECTIONS 21-81, 8CC-5.1 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CIVIL PENALTIES FOR THE COMMISSION OF CERTAIN MISDEMEANORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 150589) (SEE FILE NO. 151576)

Adopted as amended
Ordinance 15-47
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 10- 3
No: Sosa, Souto, Bovo, Jr.

Report: *The following members of the public appeared before the Board and spoke regarding the foregoing proposed ordinance:*

Judge Samuel Slom, Administrative Judge, Criminal Division, 1351 NW 12 Street, #513, Miami, spoke in support of the use of civil citations for certain misdemeanor cases. He said that the filing of a criminal charge for possession of marijuana could have an adverse impact on one's employment status, education, loans and housing. Judge Slom pointed out that the foregoing proposed ordinance would not decriminalize or legalize marijuana, but gave police officers an option to either issue a civil citation or a criminal charge. He said it offered a compromise approach, noting officers currently had the option to either ignore the offense or charge someone criminally. Judge Slom commented on taxpayer cost reductions associated with this proposal police officers not being taken off routine patrol; by not transporting arrested individuals to jail; by not attending motions, depositions, and trials; by not providing corrections and rehabilitation services; by not giving medical, mental health and dental care; as well as the expense to support the public defender's office, the prosecutor's office, and the court system. He concluded that a better use of our resources existed; noting police officers should have the discretion to use civil citations.

Hallandale Beach Commissioner Keith London, 400 S. Federal Highway, Hallandale, appeared in support of the foregoing proposed ordinance. He said this matter was an economic issue, noting the impact a blemish would have on someone's public record. Commissioner London noted the foregoing proposal was supported by the State Attorney's Office, the Hallandale Beach Chief of Police, and would provide police officers with the discretion whether or not to make an arrest.

Mr. Guy David Robinson, Chief Assistant, Miami-Dade Public Defender's Office, representing Miami-Dade Public Defender Carlos J. Martinez, noted his support for the foregoing proposed ordinance. He pointed out that civil citations was a good first step toward making the court system fairer and more just, as well as replacing outdated practices that cost taxpayers too much money. Mr. Robinson said civil citations would reduce police costs and increase the number of officers available to patrol, respond to serious crimes, and develop community relationships. He said civil citations would eliminate $130 per-day to incarcerate and provide medical services to an inmate. Mr. Robinson pointed out that civil citations would provide the same treatment for the same transgression countywide.

Reverend Dr. Anthony Reed, Martin Memorial African Methodist Episcopal Church, 14740 Lincoln Boulevard, Richmond Heights, appeared on behalf of Florida Representative Kionne McGhee and residents of the community south of Flagler Street. He spoke regarding racism that was still alive in the community, and in support of civil citations.

Mr. B.J. Chiszar, 2060 NE 194 Terrace, Miami, spoke in support of civil citations, noting it was time for the criminalization of the American people to end, and it should begin in Miami-Dade County. He said this matter was an economic, efficiency, cost saving, and a freedom issue, and one that would give law enforcement an option to no longer ruin people's lives.

Mr. Edward Shohat, 800 Brickell Avenue, Miami, Vice Chair, Miami-Dade County Community Relations Board (CRB), joined by Vicky Smith Jackson, Co-Chair, CRB Criminal Justice and Law Enforcement Committee, appeared in support of the foregoing proposed ordinance. He indicated the CRB was

concerned about the relationship between community residents and law enforcement, noting law enforcement treated the poorer African American immigrant community differently than they did other communities. Mr. Shohat said that fewer interactions with law enforcement officers, along with non-criminal prosecution for small amount of marijuana, would help reduce community tensions.

Mr. Andrew Lease, 4501 Lake Road, Miami, spoke in support of the foregoing proposed ordinance, noting residents deserved the right of personal choice.

Mr. Walter Clark, noted that as a retired officer, his address was exempt from public record. He spoke in support of civil citations, noting marijuana arrests were discriminatory toward African Americans.

County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

Chairman Monestime commended Commissioner Heyman for her efforts on the foregoing proposed legislation, noting it was a model that could be replicated throughout the Country.

Commissioner Heyman pointed out that other large cities and states adopted civil citation alternatives based upon the County's success in 2010 and juvenile citations in 2002. She explained that civil citations would not legalize or decriminalize any offense; would not allow the use of marijuana; and would apply only to non-violent misdemeanor possession charges. Commissioner Heyman said that an arrest impacted an individual's military options, job applications, licenses, scholarships, school admissions, and access to affordable housing with government funding. She indicated that at least 90 percent of the 7 designated offenses consisted of people that were booked and then released.

Commissioner Heyman stated that police resources could be put to better use, rather toward locking up individuals for non-violent misdemeanors and place them in controlled custodial environment with problematic violent offenders. She noted a commitment from the Miami-Dade Criminal Justice Council, the Public Safety Coordinating Council, and other stakeholders to reinvest money toward prevention, diversion and health needs. Commissioner Heyman said this alternative added an additional level of discretion for police officers, and that civil citations would be monitored with a report provided to the County Commission within six months.

Chairman Monestime and Commissioner Jordan asked to be listed as co-sponsors of the foregoing proposed ordinance.

In response to Commissioner Diaz' request, Miami-Dade Police Department Director J.D. Patterson, Jr., reported that the ordinance provided another option relating to civil citations, which would not take away a police officer's ability to arrest an individual if determined appropriate.

Commissioner Diaz expressed concern that there were no established limitations for repeat offenders. He commented that a $100 fine was not sufficient to cover police officer manpower and proceeded to question the procedures that would be used for confiscated substances.

Commissioner Heyman responded that the issuance of civil citations would be up to the police officer's discretion.

Director Patterson commented that marijuana confiscated would be impounded and maintained as evidence. He said the process of impounding evidence would remain as it was currently. Director Patterson noted the only difference would be the issuance of a civil citation, similar to a ticket, which would be processed through the courts.

Commissioner Diaz indicated that he did not see counseling or an educational component attached to the proposed legislation. He questioned the consequences for repeat offenders and not paying civil citations.

Director Patterson reported that the police officers had the discretion to arrest repeat offenders and that citation/arrest information would be maintained in a database.

Commissioner Diaz noted concern that information contained in the database was a public record which could impact arrested individuals in the future, thus defeating the program's intent.

Commissioner Sosa noted the need to place a cap on the number of citations one individual could receive; to implement an assessment and educational component; to define consequences for not paying fines; to identify clear objectives and implementation criteria that would treat everyone equally; and to establish specific parameters based on repeated offenses.

Commissioner Jordan commended Commissioner Heyman for her efforts to establish countywide civil citations. She noted the State Attorney already had a civil citation program for adults; that the University of Miami participated in the adult civil citation program; and that today's (6/30) proposal was taking this concept countywide for adults with minor offenses.

In response to Commissioner Jordan's inquiry, County Attorney Cuevas confirmed that the proposal was part of the diversion program.

Commissioner Jordan stated that most young adults may not have the $100 to pay the civil citation, and that the diversion program would allow them an alternative by performing community service. She noted civil citations would prevent individuals from being fingerprinted and becoming part of the criminal justice system. Commissioner Jordan indicated that over 44,000 people were arrested and charged with possession of a small amount of marijuana in the last five years; and that only 2 percent of those cases were closed between 2010 and 2014. She said the foregoing proposal would provide the opportunity to divert possession of marijuana from being a serious crime and relieve the criminal justice system. Commissioner Jordan noted fingerprints were associated with an arrest and the proposed program provided another opportunity where individuals would not be impacted in obtaining employment, college admission, and a meaningful career.

Commissioner Heyman, in response to Commission Zapata's inquiry, responded that the consequences of not paying the fine was community service as an alternative, and that options were presented on the back of the civil citation ticket issued.

Director Patterson reported that failure to comply with the fine could result in additional criminal charges being filed.

Commissioner Bovo stated it was currently illegal to smoke marijuana in

Miami-Dade County; that laws were established as a deterrent; that an individual could accumulate numerous citations; and that there was nothing to deter someone from repeat offenses. He noted the number of civil citations needed to be clearly addressed in the ordinance language along with counseling requirements.

Director Patterson stated he had the ability to make a policy statement about the number of civil citations allowed to be issued to a single individual. He further stated that the ordinance did not address smoking marijuana in public although it was illegal. Director Paterson said he made it clear that he expected police officers to arrest individuals if smoking marijuana in public.

Chairman Monestime clarified that the ordinance addressed the issue of possession only, and not smoking marijuana in public.

Commissioner Bovo expressed concern that the proposed legislation would add another burden for police officers in that it opened the door for profiling and that it make it harder for parents to do their jobs.

In response to Commissioner Souto's question, Director Patterson reported that marijuana was a Schedule 1 drug pursuant to Federal law along with cocaine, morphine, oxycodone and heroin.

Commissioner Souto expressed concern that Miami-Dade County would be saying that federal law was wrong should the foregoing proposal be approved. He stated that the County did not set Federal law; and that he did not see the logic behind establishing civil citations for marijuana possession.

Commissioner Suarez noted that civil penalties were not preempted by either Federal or State law, and State preemption allowed municipalities to have lesser offenses. He addressed Commissioner Bovo's concern that there was a difference between possession and consumption, noting public use was a greater offense and not included in this legislation. Commissioner Suarez said that an educational component was necessary.

Chairman Monestime stated there was a dysfunctional situation with only two convictions out of 245 arrests.

Commissioner Levine Cava pointed out that Miami-Dade County was not the first body in the United States to adopt similar legislation and that precedent existed. She noted the impact needed to be unbiased and not adversely impacting one group over another.

Commissioner Edmonson pointed out that administration needed to establish specific rules and policies once the proposed legislation was adopted, including the diversion program and other criteria. She said that this was a start; that the Commission could always propose future changes; and that she was proud to support the foregoing proposed legislation.

Commissioner Heyman clarified that there were 29,377 people arrested under Citation 2 in seven months with only 35 going to court. She pointed out that all seven events covered in the proposed legislation would remain crimes under Florida statute. Commissioner Heyman noted that the Miami-Dade Police Department collaborated on the proposed process from the beginning, asking for flexibility for their officers upon implementation. She said that the diversion component needed to be worked out with the courts and would become separate legislation once developed.

Mayor Gimenez stated that County Administration supported the proposed legislation and police officers had the discretion as to the treatment of individuals caught smoking marijuana. He said that marijuana would still be illegal and there would be a limit imposed as to the number of citations an individual could receive. Mayor Gimenez noted the proposed legislation was common sense, reducing the time spent by officers on arrests and removing the stigma associated with an arrest record.

Commissioner Sosa asked Commissioner Heyman to except a friendly amendment to provide for a 12-month report of the program's implementation results. She also asked that individuals be required to pay the citation fee after the second citation.

Commissioner Heyman supported Commissioner Sosa's amendment for a report; however, suggested that the implementation report be provided within 6 months, rather than 12 months. She indicated that the Miami-Dade Criminal Justice Council established the citation fees to avoid throwing people in jail, and indicated she would not accept Commissioner Sosa's amendment to penalties.

In response to Commissioner Sosa's question about provisions for failure to pay penalties, Commissioner Heyman noted the option of either community service or a diversion program at a cost. She stated that the number of allowable civil citations would be determined later.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as amended, to provide the Board with a 6-month report detailing the program's implementation results.

Later in the meeting Mr. Angus Murray appeared before the Board to speak, and was advised by Chairman Monestime that the foregoing proposed ordinance was already considered.

Note: See Agenda Item 11A10 AMENDED, Legislative File No. 151576 for the companion item.

7B

151465 **Ordinance** **Audrey M. Edmonson,**
Esteban L. Bovo, Jr.,
Daniella Levine Cava,
Barbara J. Jordan,
Dennis C. Moss,
Rebeca Sosa,
Xavier L. Suarez

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; CREATING SECTION 2-8.1.1.1.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE A GOODS-ONLY PROGRAM BASED UPON CERTIFICATION TIERS, PROVIDE DEFINITIONS AND PROGRAM CRITERIA, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 150786]

Deferred to no date certain
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *Former State Representative Renier Diaz de la Portilla appeared before the Board and spoke in opposition to the foregoing proposed ordinance, noting the micro business enterprise exception, which existed in the County ordinance, was being deleted. He said this deletion would adversely affect 951 small businesses that would not be able to compete for contracts under $100,000 or less. Representative Diaz de la Portilla suggested the Item be amended to include the micro business enterprise language.*

Commissioner Bovo noted revised language to address this issue would be presented at the appropriate time.

Ms. Sara Ribero, 2461 NW 23 Street, Miami, noted she represented her father's company and the 955 other firms that would lose the micro business enterprise exemption. She said that micro firms with less than fifteen employees had a ten percent bid preference over the larger small business enterprises for bids under $100,000, and that taking away the micro business designation would now require them to compete with larger firms.

Mr. Kamau Fulger, representing Water Boy Water, Inc., dba Water King, 20060 NW 13 Court, Miami Gardens, noted he had a small business but the County was not providing enough incentives so that local businesses could put money back in the community.

First Assistant County Attorney Abigail Price Williams read the foregoing proposed ordinance into the record.

It was moved by Commissioner Edmonson that the foregoing proposed ordinance be adopted. This motion was seconded by Commissioner Jordan.

Assistant County Attorney David Hope read Commissioner Bovo's proposed amendment to provide that in Section 1, the terms Tier 1 and Tier 2 be renamed Micro Tier 1 and Micro Tier 2, respectively, on handwritten pages 8, 10, 11 and 12.

Commissioner Bovo indicated that the foregoing amendment would put back the Micro Business definition, noting the removal impacted approximately 900 businesses that would now qualify as a micro business.

Commissioner Edmonson pointed out that no businesses were being removed.

Mr. Gary Hartfield, Director, Small Business Development (SBD) Division, explained that micro firms would be included in Micro Tier 1 (less than $750,000) and Micro Tier 2 ($750,000 - $2 million) and would receive the same benefits as they currently received. He noted the term of the amendment had already been included in the proposed legislation.

Commissioner Bovo questioned the rationale for the proposed change, noting small businesses currently had the opportunity to do business with the County.

Commissioner Edmonson explained that the SBD programs had not been updated in ten years and the proposed changes were being made to address mistakes identified by staff.

Mr. Hartfield said the proposed change allowed for all Small Business Enterprises (SBE), regardless of the contract value, to receive the ten percent

bid preference. He noted over 600 firms currently grossed less than $650,000 and did not have the capacity to compete against larger firms for contracts. Mr. Hartfield said that there were 181 SBE certified firms that were not given the ten percent preference for contracts under $100,000, and this proposal would allow those firms to compete against larger firms.

Commissioner Bovo inquired whether the intent was to eliminate the micro businesses so the SBE's had an advantage.

Mr. Hartfield further explained that the 75 percent of the current micro firms that grossed under $750,000 represented 671 out of 800 firms. He said the firms did not have the capacity to compete with firms grossing up to $10 million on the same contracts. Mr. Hartfield reiterated that there were 181 firms grossing between $2 million and $5 million, representing the top level of the program that had the capacity to compete with firms grossing between $5 million and $20 million. He indicated the foregoing proposal would allow more set-asides and more contracts awarded to small businesses.

Commissioner Edmonson said the larger firms grossing up to $5 million already received the ten percent bid preference.

Commissioner Bovo noted concern that micro firms received business because they worked harder and questioned whether anything was being taken away from existing micro businesses by revamping the program.

Mr. Hartfield responded that the changes were not made to allow any particular firm to receive an advantage. He said only one firm complained about the proposed changes and that firm was now considered a micro business based upon the number of employees, although the firm grossed $7.8 million and received a ten percent bid preference. Mr. Hartfield explained that it was not fair that a firm with 31 employees and grossing $1.6 million was not getting the ten percent bid preference because they had over 15 employees over the required amount, and yet a firm with 8 employees grossing $16.6 million, received the bid preference. He said that the number of employees should not be a used to determine a micro designation for bid preference, rather using the three-year average growth revenue provided additional opportunities for firms to compete on open market contracts. Mr. Hartfield indicated that the Micro Tier 1 firms would receive a ten percent bid preference, the Micro Tier 2 firms would receive a five percent preference and Tier 3 firms would not receive any preference on set asides. He said all firms needed a ten percent preference when competing against larger national firms, noting they did not receive any preference now.

Commissioner Suarez stated it made sense to have two tiers; however, he did not understand the matrix submitted by SBD at the Economic Prosperity Committee meeting. He noted committee discussion about increasing set asides from two percent to four percent of all contracts. Commissioner Suarez said he did not understand how more small businesses would be able to participate. He noted it was unfair to the company that did well under the program who gave the County a better price and met the established criteria.

Mr. Hartfield responded that the matrix depicted results over a five year period and that a single commodity was reviewed because only a handful of micro SBE firms had the capacity based on the number of employees but not gross revenue to compete on open market contracts less than $100,000. He said the firm did not provide the lowest price but the ten percent bid preference made it appear they received the lower price.

Commissioner Jordan stated the firm that won the bid had fewer employees than the firm that lost the bid. She said a company that remained small with under 15 employees received the ten percent bid preference, noting there was no motivation to grow the employee base since they would lose the bid preference. Commissioner Jordan indicated that the same companies repeatedly won bids because they limited the number of employees. She said the small firms with less than 15 employees would always win over larger firms with more employees that did not receive the bid preference and could not offer a discount.

Commissioner Suarez pointed out that successful firms were being punished.

Commissioner Bovo asked Commissioner Edmonson to consider a Sunshine meeting to ensure he and his colleagues fully understood the item. He indicated that he did not want to punish firms who were efficient in their operations.

Commissioner Edmonson stated there were numerous complaints that a single company was getting everything. She explained the intention was to make sure all small businesses were treated fairly and to help them to become successful. Commissioner Edmonson agreed to defer the item and convene a Sunshine meeting. She noted a company able to employ big time lobbyists should not be considered a small business. Commissioner Edmonson said that it was time to be fair and do the right thing; that there were too many small businesses; and that those businesses were not minority businesses.

Hearing no further questions or comments, the Board deferred the foregoing proposed ordinance.

6/11/2015 1G3 AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Prosperity Committee*

7C

151462 **Ordinance** **Audrey M. Edmonson,**
Esteban L. Bovo, Jr.,
Daniella Levine Cava,
Jose "Pepe" Diaz,
Barbara J. Jordan,
Dennis C. Moss,
Rebeca Sosa,
Xavier L. Suarez

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO DELETE THE GOODS PORTION OF THE PROGRAM IN ORDER TO CREATE A SERVICES-ONLY PROGRAM BASED UPON CERTIFICATION TIERS USING THREE YEAR AVERAGE GROSS REVENUES, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 150784]

Deferred to no date certain
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *Note: See Agenda Item No. 7B, Legislative File No. 151465 for additional discussion.*

6/11/2015 1G2 AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Prosperity Committee*

7D

151440 **Ordinance** **Jean Monestime,**
Juan C. Zapata

ORDINANCE RELATED TO APPROVAL OF THE COUNTY BUDGET; AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REVISE THE DUTIES OF THE COMMISSION AUDITOR AND THE ROLES AND TIMING OF COMMISSION COMMITTEES RELATED TO THE BUDGET; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE AGENDA ITEM NO. 150990)

Adopted
Ordinance 15-58
Mover: Jean Monestime
Seconder: Juan C. Zapata
Vote: 8- 5
No: Jordan, Edmonson, Sosa, Moss, Souto

Report: *First Assistant County Attorney Abigail Price Williams read the foregoing proposed ordinance into the record.*

Commissioner Jordan questioned the impact of the foregoing proposed ordinance would have on the Commission Auditor's (CA) office staffing requirements; whether or not sufficient staffing was being provided; and whether or not there was sufficient time to complete the desired results.

Chairman Monestime indicated that he did not believe the intended goal would be achieved this year.

Commissioner Zapata noted staffing was discussed in the Strategic Planning and Government Operations Committee (SPGOC) meeting, noting he believed the CA had sufficient staffing. He said the intent was for the CA to measure the budget progress based on the Commission's direction.

Commissioner Jordan said the County already had a strategic planning process; however, the Commission did not have a visioning process to establish criteria and provide direction as to what should be included in the County's plan.

Commissioner Zapata noted the SPGOC recently conducted a meeting to discuss creating a visioning process. He said the Administration had a five-year strategic plan; however, the priorities set by the Commission should also be pursued by the Administration and performance outcomes measured. He said there was no mechanism in place and the Commission did not know the impact of the allocated resources. Commissioner Zapata noted these efforts would result in a more relevant budget process.

Commissioner Jordan noted the roles expected from the CA versus the Audit and Management Services Department (AMS) needed to be clearly defined in order to avoid duplicated efforts.

Commissioner Zapata responded he believed the CA would be responsible for performance issues and the AMS would deal with accounting functions.

Commissioner Edmonson expressed concern about continually revising the CA's duties, noting the Commission never established a clear role and responsibilities for that department.

Chairman Monestime indicated that this legislation directed the CA to monitor the performance and achievement of established goals.

Commissioner Jordan stated the Commission should first establish a strategic plan. She said the Commission's role was to develop policy and not to implement programs and services. Commissioner Jordan indicated that an Implementing Order was needed before developing the CA's responsibilities.

Commissioner Edmonson reiterated that the Commission needed to determine the CA's role.

Chairman Monestime clarified that the proposed legislation would not begin until 2017, and specific objectives for the CA could be established before it became effective. He said the intention was to redirect the focus on the Board's budget allocations and establish specific performance indicators that could be monitored.

Commissioner Sosa pointed out that the Commission needed to allocate more time to deal with the County's budget. She expressed concern over the ballot language creating the Office of the CA, noting it was specific to a particular job and the CA's role should not deviate from what was previously approved. Commissioner Sosa said this proposal was asking the CA to prepare a report with performance measures of the services provided by each department, office and division. She noted the County had a Strong Mayor form of government and the Commission could not place the CA in the position of evaluating departments that were not under the Commission's jurisdiction. Commissioner Sosa said this proposal would fail if not done appropriately and would be difficult for the CA to accomplish. She noted that the Commission served as legislators and established the rules for Administration to follow. Commissioner Sosa said that creating a separate budget was a duplication of taxpayer funds and suggested the possibility of the entire budget process being the legislative body's responsibility.

Chairman Monestime clarified that the item was designed to reduce friction between the Office of Management and Budget and the CA. He said the CA was supposed to prepare a budget on behalf of the Commission but did not have the capacity or resources to do so. Chairman Monestime noted as an alternative, this legislation would allow the CA to focus on performance measures reported by government departments and increase the Commissions level of engagement by setting priorities before the annual budget. He said the CA would identify performance measures and determine which areas needed additional funding, were under-performing, and/or needed improvement.

Commissioner Levine Cava stated her concerns were satisfied at the SPGOC meeting when it was decided the CA would assist the Commission in monitoring its performance measures. She said that SPGOC Chairman Zapata was going to ask members of the Commission to review and update the key performance indicators in the Strategic Plan. Commissioner Levine Cava indicated the Commission should take a leadership role in creating a vision for the entire County, in addition to establishing policy. She said Commissioner Zapata invited the Knight Foundation and the Miami Foundation to participate in the County's visioning process. Commissioner Levine Cava noted the CA role was an interim role providing an independent review until a larger vision and larger policy goals were established.

Commissioner Diaz discussed the need for more information; however, expressed concern about not receiving clear information from the Administration.

Commissioner Heyman noted a discrepancy in the implementation timeframe and requested clarification.

Chairman Monestime reported that it would not be appropriate to make the changes now because the Fiscal Year (FY) 2015-16 budget would be approved shortly; noting it more appropriate to implement the changes for the FY 2016-17 budget cycle. He indicated that having the CA measure performance would complement the budget information provided by the Mayor's office.

Commissioner Heyman mentioned that this was a more realistic timeframe to accomplish the desired objectives.

Commissioner Sosa questioned the process by which the CA would effectively

and objectively evaluate the services offered by each County department and whether the CA would need to grow to successfully accomplish this responsibility. Commissioner Sosa indicated the Mayor and other Administrative staff were full-time County employees who were paid to accomplish the tasks outlined in the foregoing proposal, noting she did not believe the Commission should assume unrealistic responsibilities.

Commissioner Edmonson expressed concern that the CA received its information from the Administration. She indicated that the CA had 19 employees, with only 6 employees having budget responsibilities, noting the Mayor had a significantly larger staff to accomplish this task.

Chairman Monestime stated the legislation did not ask the CA to prepare a budget, noting they did not have the capacity to do so. He said the proposal removed that requirement and requested they deal with performance issues.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

6/9/2015	1G3 AMENDED	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Strategic Planning & Government Operations Cmte*

7E

151096 **Ordinance** **Jean Monestime, Rebeca Sosa**

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REQUIRING INCLUSION OF ADDITIONAL INFORMATION IN STATEMENTS OF FISCAL IMPACT REQUIRED FOR ORDINANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted
Ordinance 15-59
Mover: Barbara J. Jordan
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Note: The foregoing proposed ordiance was adopted on July 1, 2015.

5/19/2015	4C	*Adopted on first reading by the Board of County Commissioners*
5/19/2015		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Economic Prosperity Committee*
6/11/2015	1G4	*Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

7F

151448 **Ordinance** **Juan C. Zapata**

ORDINANCE RELATING TO SOLICITATION OR COLLECTION IN THE PUBLIC RIGHT-OF-WAY; CREATING SECTION 21-36.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ENACTING PROHIBITIONS ON SOLICITATION OR COLLECTION AT DESIGNATED HIGH TRAFFIC OR HIGH ACCIDENT INTERSECTIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 151068]

Adopted
Ordinance 15-60
Mover: Barbara J. Jordan
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Note: The foregoing proposed ordinance was adopted on July 1, 2015.*

6/10/2015 1G2 Amended *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Metropolitan Services Committee*

8 DEPARTMENTAL ITEMS

8A AVIATION DEPARTMENT

8A1

151343 **Resolution**

RESOLUTION APPROVING FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND LANDMARK AVIATION MIAMI, LLC, FOR PREMISES AT MIAMI INTERNATIONAL AIRPORT, EXTENDING THE TERM OF THE LEASE BY FIVE YEARS AND PROVIDING FOR TENANT INVESTMENT OF $3,375,000.00; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL RIGHTS CONTAINED THEREIN, INCLUDING BUT NOT LIMITED TO EXTENSION OR TERMINATION PROVISIONS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A COPY OF THE AMENDMENT TO THE LEASE TO THE PROPERTY APPRAISER (Aviation Department)

Adopted
Resolution R-557-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 3A *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Trade and Tourism Committee*

8B (No items were submitted for this section.)

8C CULTURAL AFFAIRS DEPARTMENT

8C1

151141 **Resolution**

RESOLUTION AUTHORIZING THE FUNDING OF 18 GRANTS FOR A TOTAL OF $81,500.00 FROM THE DEPARTMENT OF CULTURAL AFFAIRS FISCAL YEAR 2014-2015 COMMUNITY GRANTS PROGRAM – FOURTH QUARTER FOR VARIOUS ENTITIES; WAIVING CERTAIN REQUIREMENTS OF RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN (Department of Cultural Affairs)

Adopted
Resolution R-558-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Mr. Allen Tapanes, 35646 SW 177 Court, appeared before the Board and asked for continued funding for the Greater Miami program.*

6/11/2015 3A *Forwarded to BCC by the Chairperson from the Economic Prosperity Committee*

8C2

151142 **Resolution** **Jean Monestime**

RESOLUTION AUTHORIZING THE FUNDING OF A GRANT IN THE AMOUNT OF $75,000.00 FROM THE DEPARTMENT OF CULTURAL AFFAIRS FISCAL YEAR 2014-2015 TARGETED INITIATIVES GRANTS TO THE MUSEUM OF CONTEMPORARY ART, INC.; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENT AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN (Department of Cultural Affairs)

Adopted
Resolution R-559-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 3B *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

8D FINANCE DEPARTMENT

8D1

151215 **Resolution** **Strategic Planning & Government Operations Cmte**

RESOLUTION APPROVING EXTENSION OF 2015 REAL AND PERSONAL PROPERTY TAX ROLLS AND ISSUANCE OF TAX BILLS PRIOR TO COMPLETION OF THE VALUE ADJUSTMENT BOARD HEARINGS (Finance Department)

Adopted
Resolution R-560-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Mr. B.J. Chiszar, 2060 NE 194 Terrace, Miami, appeared before the Board and spoke regarding working middle class neighborhoods not receiving the same discount between market and appraised values, thus impacting the amount of revenue received by the County and the ability to lower the tax rate.*

6/9/2015 3A *Forwarded to BCC with a favorable recommendation from the Strategic Planning & Government Operations Cmte*

8E (No items were submitted for this section.)

8F INTERNAL SERVICES DEPARTMENT

8F1

151085 **Resolution** **Audrey M. Edmonson**

RESOLUTION APPROVING AWARD OF LEASE AGREEMENT WITH OFF THE GRILLE II, CORP. WITH A POSITIVE FISCAL IMPACT TO THE COUNTY OF AT LEAST $1,562,309.00 FOR THE INITIAL TERM OF 10 YEARS AND ONE FIVE-YEAR RENEWAL TERM FOR THE DEVELOPMENT, OPERATION, AND MAINTENANCE OF A FOOD SERVICE FACILITY AT THE RICHARD E. GERSTEIN JUSTICE BUILDING; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE SAME AND EXERCISE ALL RIGHTS CONTAINED IN THE LEASE AGREEMENT, INCLUDING RENEWAL AND EXTENSION OPTIONS; DIRECTING THE COUNTY MAYOR OR DESIGNEE TO PROVIDE TO THE PROPERTY APPRAISER'S OFFICE, WITHIN 30 DAYS OF ITS EXECUTION, A COPY OF THE LEASE AGREEMENT (Internal Services)

Adopted
Resolution R-561-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 3B *Forwarded to BCC with a favorable recommendation from the Strategic Planning & Government Operations Cmte*

8F2

151335 **Resolution** **Barbara J. Jordan**

RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CALIFORNIA CLUB MALL SHOPPING CENTER, LTD., A FLORIDA LIMITED PARTNERSHIP, FOR PREMISES LOCATED AT 700 IVES DAIRY ROAD, MIAMI, FLORIDA, TO BE UTILIZED BY THE MIAMI-DADE PUBLIC LIBRARY SYSTEM FOR LIBRARY AND OFFICE SPACE, WITH A TOTAL FISCAL IMPACT TO THE MIAMI-DADE PUBLIC LIBRARY SYSTEM ESTIMATED TO BE $4,415,544.00 FOR THE INITIAL FIVE YEAR TERM OF THE LEASE AND THE TWO ADDITIONAL, FIVE YEAR RENEWAL OPTION PERIODS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Internal Services)

Adopted
Resolution R-562-15
Mover: Rebeca Sosa
Seconder: Jean Monestime
Vote: 13- 0

Report: *Commissioner Sosa asked Deputy Mayor Jack Osterholt and the Library Department Director to provide her with an explanation as to the excessive cost associated with the proposed lease agreement.*

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

6/9/2015 3B *Forwarded to BCC with a favorable recommendation from the Unincorporated Municipal Service Area (UMSA) Cmte*

8F3

151033 **Resolution** **Sen. Javier D. Souto**

RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AMENDED AND RESTATED LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SEED FOUNDATION, INC., A WASHINGTON D.C. NOT-FOR-PROFIT CORPORATION, FOR DEVELOPABLE LAND LOCATED AT THE KENDALL COMPLEX, 11025 SW 84 STREET, TO BE USED AS A COLLEGE PREPARATORY BOARDING SCHOOL FOR AT-RISK, LOW-INCOME BOYS AND GIRLS, WITH A TOTAL GROSS RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE $4,200,068.00, FOR THE INITIAL 20 YEAR TERM OF THE LEASE AND THE TWO ADDITIONAL 34 YEAR RENEWAL OPTION PERIODS; AUTHORIZING THE COUNTY TO ACCEPT UP TO $20,000.00 FROM THE SEED FOUNDATION, INC. FOR THE RELOCATION OF THE ARC OF SOUTH FLORIDA; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REDUCE A PORTION OF THE RENT PAYMENT IN EXCHANGE FOR PERFORMANCE OF CERTAIN RENOVATIONS, REPAIRS, IMPROVEMENTS AND/OR MAINTENANCE TASKS TO THE COUNTY'S ADJACENT PROPERTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE LEASE AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; 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 (Internal Services)

Adopted
Resolution R-563-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 3C *Forwarded to BCC with a favorable recommendation from the Strategic Planning & Government Operations Cmte*

8F4

150352 **Resolution**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00002 TO NEW FLYER OF AMERICA, INC. FOR PURCHASE OF 60-FOOT ARTICULATED HYBRID BUSES IN THE TOTAL AMOUNT NOT TO EXCEED $71,387,000.00 FOR THE MIAMI-DADE TRANSIT DEPARTMENT; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY CANCELLATION, RENEWAL AND OTHER PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES [SEE ORIGINAL ITEM UNDER FILE NO. 150010] (Internal Services)

Adopted
Resolution R-564-15
Mover: Jose "Pepe" Diaz
Seconder: Audrey M. Edmonson
Vote: 8- 1
No: Barreiro
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *In connection with the foregoing proposed resolution, Commissioner Diaz suggested that Mayor Gimenez had the discretion to purchase the busses as needed, rather than all at one time.*

Assistant County Attorney Bruce Libhaber clarified that Commissioner Diaz' request to purchase busses as needed was already included in the proposal.

Commissioner Diaz stated for the record that eleven busses for the I-836 Expressway Park and Ride were included in the proposal.

In response to Commissioner Zapata's inquiry, Ms. Ysela Llort, Director, Miami-Dade Transit Department, reported that the funding source was the half penny surtax. She noted the project was also funded through State grants, Federal grants and a City match. Ms. Llort reported the surtax represented a 48.5 percent match of total costs. She stated that operational cost reductions would be applied to additional services or capital projects.

Commissioner Levine Cava noted busses were urgently needed in South Dade and letters of support were received from two mayors whose cities were most effected.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

2/11/2015	3B AMENDED	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit and Mobility Services Committee*
3/3/2015	8F9	*Deferred by the Board of County Commissioners*
3/17/2015	8F1	*Deferred by the Board of County Commissioners*

8F5

150829 **Resolution**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00151 FOR PURCHASE OF T-SHIRTS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED $1,608,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT (Internal Services)

Amended

Report: *Note: See Agenda Item No. 8F5 AMENDED, Legislative File No. 151667 for the amended version.*

5/12/2015	3D	*Forwarded to BCC without a recommendation from the Strategic Planning & Government Operations Cmte*
6/2/2015	8F4	*Deferred by the Board of County Commissioners*

8F5 AMENDED

151667 **Resolution**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00151 FOR PURCHASE OF T-SHIRTS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED $1,058,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT [SEE ORIGINAL VERSION UNDER FILE NO. 150829] (Internal Services)

Adopted as amended
Resolution R-565-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *The foregoing proposed resolution was adopted as amended with changes to the Fiscal Impact/Funding Source Section on Handwritten Page 1.*

8F5 SUPPLEMENT

151544 **Supplement**

SUPPLEMENT TO RECOMMENDATION FOR APPROVAL TO AWARD: T-SHIRTS

Presented

8F6

151101 **Resolution**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00159 IN A TOTAL AMOUNT UP TO $7,975,000.00 FOR PURCHASE OF SODIUM POLYPHOSPHATE FOR THE WATER AND SEWER DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS (Internal Services)

Adopted
Resolution R-566-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3A *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8F7

151126 **Resolution**

RESOLUTION AUTHORIZING ADDITIONAL TIME OF SIX MONTHS AND ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO $600,000.00 FOR CONTRACT NO. C-1084(5) FOR PURCHASE OF MICROSOFT COMPUTER EQUIPMENT, ACCESSORIES, HARDWARE, RELATED SOFTWARE AND SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 (Internal Services)

Adopted
Resolution R-567-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 3E *Forwarded to BCC with a favorable recommendation from the Strategic Planning & Government Operations Cmte*

8F8

151192 **Resolution**

RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NEW MIAMI WAREHOUSES, LLC FOR PREMISES LOCATED AT 8551 NW 64 STREET, MIAMI, FLORIDA TO BE UTILIZED BY VIZCAYA MUSEUM AND GARDENS AS STORAGE SPACE, WITH A TOTAL FISCAL IMPACT TO THE COUNTY ESTIMATED TO BE $108,463.05 FOR THE TWO-YEAR TERM OF THE LEASE AND THE ADDITIONAL ONE-YEAR RENEWAL OPTION PERIOD; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Internal Services)

Adopted
Resolution R-524-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 3D *Forwarded to BCC with a favorable recommendation from the Strategic Planning & Government Operations Cmte*

8F9

151149 **Resolution**

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF REQUEST FOR PROPOSALS, RFP-00031, FOR A CAR SHARING PROGRAM FOR MIAMI-DADE COUNTY; PRESERVING COUNTY MAYOR'S DELEGATED AUTHORITY UNDER SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, INCLUDING THE AUTHORITY TO ISSUE ADDENDA AS NECESSARY DURING ADVERTISEMENT PERIOD; AND PROVIDING NOTIFICATION TO THE COUNTY COMMISSION OF ADDENDA AT THE TIME OF AWARD (Internal Services)

Adopted
Resolution R-568-15
Mover: Daniella Levine Cava
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.*

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/10/2015 3A *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

8F10

151316 **Resolution**

RESOLUTION RATIFYING VARIOUS ACTIONS OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO CAPITAL IMPROVEMENT CONTRACTS SOME OF WHICH ARE FUNDED WITH BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS, AND AMERICAN RECOVERY AND REINVESTMENT ACT FUNDED CONTRACTS PURSUANT TO THE ECONOMIC STIMULUS ORDINANCE, SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (Internal Services)

Adopted
Resolution R-569-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

8G MANAGEMENT AND BUDGET DEPARTMENT

8G1

151334 **Resolution** **Bruno A. Barreiro,**
Audrey M. Edmonson,
Sally A. Heyman

RESOLUTION APPROVING TERMS OF INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE PROVISION OF FINANCIAL SUPPORT NOT TO EXCEED $13,900,000.00 FOR THE TRI-RAIL DOWNTOWN MIAMI LINK STATION IMPROVEMENTS AT THE MIAMI CENTRAL STATION; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSE [SEE AGENDA ITEM NO. 10A1] (Office of Management and Budget) ***Amended***

Report: *Note: Please see Agenda Item No. 8G1 AMENDED, Legislative File No. 152176 for the amended version.*

6/10/2015 3E *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

8G1 AMENDED

152176 **Resolution** **Bruno A. Barreiro,**
Audrey M. Edmonson,
Sally A. Heyman

RESOLUTION APPROVING TERMS OF INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE PROVISION OF FINANCIAL SUPPORT NOT TO EXCEED $13,900,000.00 FOR THE TRI-RAIL DOWNTOWN MIAMI LINK STATION IMPROVEMENTS AT THE MIAMI CENTRAL STATION; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEIREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSE [SEE ORIGINAL ITEM UNDER FILE NO. 151334] (Office of Management and Budget)

Adopted as amended
Resolution R-570-15
Mover: Bruno A. Barreiro
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *Palm Beach County Commissioner Steve Abrams, and South Florida Regional Transportation Authority (SFRTA) member, appeared before the Board in support of the foregoing proposed ordinance. He said he was a Tri Rail rider looking forward to travel directly from West Palm Beach to the Stephen P. Clark Government Center. Commissioner Abrams indicated that time was of the essence to incorporate Tri Rail into the All Aboard Florida Station plans. He mentioned that the SFRTA Board and its Chairman, Commissioner Barreiro, shared this vision, noting the adoption of this resolution was an instrumental step toward implementing that vision.*

Assistant County Attorney Bruce Libhaber read the following amendments to the foregoing proposed resolution into the record: to provide that 1) renumber Section 6 APPROVALS, on Handwritten Page 14 of the Interlocal Agreement, to Section 6(A), and 2) to include the addition of a new Section 6(B) to read, ASSIGNMENT OF REIMBURSEMENT AGREEMENT, SRFTA may execute and deliver to an AAF affiliate or third-party lender such assignment of any and all rights in favor of SFRTA and such funds due to SFRTA under this Agreement as SRFTA may from time-to-time request while this Agreement remains in force and effect and upon written concurrence of the County which shall not be unreasonable withheld, conditioned or delayed..

Commissioner Zapata indicated his support of the foregoing proposed resolution; however questioned the funding mechanism, noting he would obtain that information later.

Commissioner Sosa noted her support for the proposed item, however, she expressed concern that the fiscal impact did not describe the funding source.

Ms. Jennifer Moon, Director, Office of Management and Budget, reported that the fiscal impact statement referred to funding from the County Charter Transportation Surtax Capital Expansion Fund in the amount of $13.9 million. She indicated $9.6 million would be transferred to the Capital Expansion Fund in Fiscal Year (FY) 2014-15 leaving a $65 million fund balance; $11.8 million would be expended in FY 2015-16 and another $2 million in FY 2016-17; and a $70 million remaining fund balance after all distributions.

Mayor Gimenez stated that the intended use of the People Transportation Plan (PTP) was for capital projects to expand transit services

Commissioner Levine Cava indicated she supported the foregoing proposal; however, she stressed the need to identify improvemnts for other transportation corridors. She said that although the coastal link potential was a unique opportunity, it did not solve the north, south, and east-west issues. Commissioner Levine Cava said some of the remaining funding in the PTP Capital Fund should be used to improve the South Dade Busway and the expansions prioritized by the Metropolitan Planning Organization.

Mayor Gimenez mentioned he was aware of the County's transit needs. He said the foregoing proposed agreement provided the County with an inexpensive opportunity to obtain a northeast transit corridor serving approximately 1 million residents. Mayor Gimenez noted Administration was examining options to expand the County's mass transit system and that additional information would be provided later in the summer.

Commissioner Jordan indicated that money spent for Tri-Rail was well spent;

however, she expressed concern that the City of Miami was not contributing $5 million as originally promised, thus increasing the County's contribution from $8 million to $13 million.

Mayor Gimenez stated he believed the City of Miami was not as committed as he would have liked; however, the foregoing proposed agreement was a one-time opportunity for a transportation corridor going through Miami-Dade County. He said the next step was for the City of Miami Community Revitalization Agency to be asked to contribute funding. Mayor Gimenez reported the new station would be the County's Grand Central Station and not to have a Tri-Rail Station downtown would be a huge mistake, noting the cost advantage of building the station now rather than later.

Commissioner Bovo pointed out $13.9 million was still a bargain price for the project, noting the positive impact for residents living north of the downtown area. He suggested that additional enhancements be made to the Hialeah Tri-Rail Station.

Mr. Jack Stevens, Executive Director, South Florida Regional Transportation Authority, 800 NW 33 Street, Pompano Beach, appeared before the Board and noted he provided the County Commission with documentation detailing the funding commitments. He said that many potential partners were coming to the table wanting to be a part of the future public transit effort. Mr. Stevens noted he would be meeting with the Florida Secretary of Transportation to request assistance; that he was in the process of identifying additional resources; and that the financial goal was close to being met.

Commissioner Jordan asked Mr. Stevens, to provide her with a report listing project funding commitments, and whether those commitments were verbal or final.

Mr. Stevens indicated that the City of Miami was fully committed but could not discuss the extent of their commitment until after the County took action on the foregoing item.

Commissioner Moss agreed that this was a once in a lifetime opportunity of which the County needed to take advantage. He said making Tri-Rail more relevant to the Miami-Dade community was the right thing to do.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as amended, as read into the record by Assistant County Attorney Bruce Libhaber.

Note: See Agenda Item No. 10A1, Legislative File No. 151366 for additional discussion on this item.

8G2

150965 **Resolution**

RESOLUTION APPROVING THE FISCAL YEAR 2014-15 CONTRACT IN THE AMOUNT OF $1,133,000.00 WITH THE STATE OF FLORIDA DEPARTMENT OF HEALTH EFFECTIVE RETROACTIVELY TO OCTOBER 1, 2014 FOR THE PURPOSE OF MEETING PUBLIC HEALTH NEEDS OF THE CITIZENS OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY PROVISIONS CONTAINED THEREIN, AND TO EXECUTE FUTURE AGREEMENTS FOR, AND APPLY FOR, RECEIVE, AND EXPEND ADDITIONAL FUNDS FOR FISCAL YEAR 2014-15 SHOULD THEY BECOME AVAILABLE UNDER THIS PROGRAM FOR THIS PURPOSE (Office of Management and Budget)

Adopted
Resolution R-571-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 3C *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

8H PARKS, RECREATION AND OPEN SPACES DEPARTMENT

8H1

151150 **Resolution** **Dennis C. Moss**

RESOLUTION APPROVING A COOPERATIVE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA TO CONTINUE THE IMPLEMENTATION OF PROJECT SEARCH; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN (Parks, Recreation and Open Spaces)

Adopted
Resolution R-572-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3B *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8H2

151346 **Resolution** **Sen. Javier D. Souto, Sally A. Heyman**

RESOLUTION APPROVING THE AMENDED AND RESTATED AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE PARKS FOUNDATION OF MIAMI-DADE, INC. ("FOUNDATION"), A NOT-FOR-PROFIT CORPORATION, AND WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-38 TO ALLOW COUNTY TO REIMBURSE THE FOUNDATION FOR RECREATIONAL PROGRAMMING AND MARKETING EXPENSES IN SUPPORT OF PARKS AND PARKS PROGRAMMING THROUGH THE FOUNDATION UP TO ANNUAL BUDGETED AMOUNTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 150347] (Parks, Recreation and Open Spaces)

Adopted
Resolution R-573-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 3A SUB. *Forwarded to BCC with a favorable recommendation as corrected from the Unincorporated Municipal Service Area (UMSA) Cmte*

8H3

151351 **Resolution** **Xavier L. Suarez**

RESOLUTION APPROVING CONTRACT TERMINATION AND SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND AQUA MARINE PARTNERS, L.L.C., FOR A PAYMENT TO AQUA MARINE PARTNERS. L.L.C IN THE AMOUNT OF $114,700.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT AND TO EXERCISE ALL RIGHTS CONTAINED THEREIN (Parks, Recreation and Open Spaces)

Adopted
Resolution R-574-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

8H4

151396 **Resolution** **Sally A. Heyman**

RESOLUTION APPROVING SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND HAULOVER MARINA, LLC FOR THE DRY RACK BOAT STORAGE FACILITIES AT HAULOVER PARK MARINE CENTER IN HAULOVER PARK AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN (Parks, Recreation and Open Spaces)

Adopted
Resolution R-575-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

8I (No items were submitted for this section.)

8J PORT OF MIAMI DEPARTMENT

8J1

151459 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A PREFERENTIAL BERTHING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND VIRGIN CRUISES INTERMEDIATE LIMITED; DELEGATING AUTHORITY TO THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO APPROVE OR DENY ADDITIONAL VESSEL BERTHING REQUESTS, CRUISE TERMINAL IMPROVEMENT REQUESTS UP TO $1.5 MILLION, AND EARLY COMMENCEMENT REQUESTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL CANCELLATION, TERMINATION, AND OTHER RIGHTS THEREIN (Port of Miami)

Adopted
Resolution R-576-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Mr. Juan Kuryla, Director, Port of Miami (Port), advised the Board that the foregoing proposal represented a five year, $32 million agreement with Virgin Cruise Lines (Virgin), generating an additional $63 million net revenue to the Port. He proceeded to introduce Mr. Tom McAlpin, Virgin's President and Chief Executive Officer.*

Mr. McAlpin appeared before the Board and expressed his appreciation to the Commission for their support, noting Virgin was proud to call Miami home for its cruise ship and to become a partner with this County.

Hearing no further questions or comments, Board proceeded to vote on the foregoing proposed resolution, as presented.

8K PUBLIC HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT

8K1

151331 **Resolution** **Audrey M. Edmonson**

RESOLUTION APPROVING TERMS AND CONDITIONS OF MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI; APPROVING TERMS AND CONDITIONS OF COMMUNITY SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES AND RESOLUTION NOS. R-287-89, R-891-02, R-296-99, AND R-753-13; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE (1) TO EXECUTE SUCH MEMORANDUM OF UNDERSTANDING AND COMMUNITY SPACE LEASE AGREEMENT FOR THE PURPOSE OF LEASING COMMUNITY SPACE LOCATED WITHIN THE LIBERTY SQUARE PUBLIC HOUSING DEVELOPMENT FOR USE BY THE CITY OF MIAMI POLICE DEPARTMENT AS A POLICE SUBSTATION, SUBJECT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL, IF NECESSARY, AND (2) TO EXERCISE AMENDMENT, RENEWAL AND TERMINATION CLAUSES CONTAINED THEREIN (Public Housing and Community Development)

Adopted
Resolution R-577-15
Mover: Audrey M. Edmonson
Seconder: Barbara J. Jordan
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *In connection with the foregoing proposed Memorandum of Understanding, Commissioner Diaz inquired whether the County was paying for police services.*

Mr. Michael Liu, Executive Director, Public Housing and Community Development Department, explained that the County was paying for renovations to the County facility at the Liberty Square Public Housing Development used as a City of Miami police sub-station. He said the County would be obligated to a one time capital expenditure of $70,000.

Chairman Monestime inquired whether the police portion could be bifurcated.

Mr. Liu indicated that the $70,000 was part of the explanation of costs; that it was already built into the approved budget; and that it did not require authorization.

In respond to Commissioner Diaz's inquiry on whether or not the County was paying for police officers, Mr. Liu responded that the County was paying for additional police officers to enhance the City of Miami Police services. He reported that off-duty police officer services would be obtained.

Commissioner Diaz expressed concern about the County providing additional police services. He said that off-duty officers were paid higher rates and the expense for off-duty officers should be the City of Miami's responsibility. Commissioner Diaz noted there was an existing ordinance relating to the use of County police on County property, expressing concern about paying for someone else's police services.

Mr. Liu said that additional City of Miami or Miami-Dade County police officers would be welcomed. He said Housing and Urban Development funding that was part of the normal public housing assistance plan for operations and capital funds were available.

Chairman Monestime said the proposal specifically asked for City of Miami Police Officers, and stated that the County's police resources should be considered first.

Mr. Liu pointed out that the Miami-Dade County Police Department charged approximately 25 percent more for the same services.

Commissioner Edmonson said that City of Miami Police Officers was being used because the site was within their jurisdiction and that County police services would cost more. She pointed out that the Liberty Square area was one of the County's highest rated crime areas, and the foregoing proposal should not be delayed.

Commissioner Diaz said that the use of County police officers should be used for additional security needs.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/11/2015 3F — *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

8K2

151310 **Resolution** **Sally A. Heyman**

RESOLUTION APPROVING THE EARLY RELEASE OF AFFORDABILITY PERIOD RELATED TO A COUNTY SURTAX LOAN TO MBCDC SCATTERED SITES APARTMENTS, LLC FOR KNIGHTSBRIDGE CONDOMINIUMS, SUBJECT TO SATISFACTION OF CERTAIN CONDITIONS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A RELEASE OF THE RENTAL REGULATORY AGREEMENT'S RESTRICTIONS AND AFFORDABILITY PERIOD FOR KNIGHTSBRIDGE CONDOMINIUM ON BEHALF OF MIAMI-DADE COUNTY (Public Housing and Community Development)

Adopted
Resolution R-578-15
Mover: Daniella Levine Cava
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *It was moved by Commissioner Diaz that the foregoing proposed resolution be adopted. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Bovo, Sosa, Souto and Suarez were absent).*

It was subsequently moved by Commissioner Jordan that the motion on this resolution be reconsidered. This motion was seconded by Commissioner Monestime, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Bovo, Sosa, Souto and Suarez were absent).

Commissioner Jordan expressed concern about removing the 30 year affordability period and limiting the availability for housing when the goal was to expand. She noted nine units were being taken at fair market value when the Property Appraiser's website reported average market value of $94,000 each.

Mr. Michael Liu, Executive Director, Public Housing and Community Development Department, stated he concurred with Commissioner Jordan's concern; however, Miami Beach Community Development Corporation (CDC) had undergone a difficult two year period with law enforcement investigations and forensic audits indicating poor management. Mr. Liu noted a total portfolio of approximately 400 units were in jeopardy of collapsing, of which included a $7.8 million investment by the County. He said the City of Miami Beach, along with the CDC and its board, took aggressive action to rehabilitate the organization and maintain capacity to manage their affordable housing stock. Mr. Liu said the nine units under consideration was a small portion of the portfolio but would provide the CDC with financial resources to continue managing the entire portfolio. He noted the County made a $400,000 loan on the nine units in 2004 of which it would receive $174,000 that equated to a 74 percent return. Mr. Liu pointed out that the $174,000 would be used to continue supporting affordable housing initiatives sustain operations and that a plan would be submitted to ensure that the County's interests and affordability interests for the 340 remaining units would be maintained. He said that the County was in second position on its mortgages and would lose much control in the event the CDC filed bankruptcy. Mr. Liu stated that he would not support this proposal if it was just about nine units; however, a bigger picture involving hundreds of units was involved.

Commissioner Jordan said she was concerned that the units may be lost, despite the County's efforts to help. She questioned how the nine units would save the CDC from bankruptcy and if there were any other alternative to keep the units affordable.

Mr. Liu responded that the County was not being asked to forgive the loan obligation and was to be reimbursed the $74,000 owed. He noted the estimated return on the ten percent fee charged on the sale of each unit offered the County comfort in that it would be getting resources back while giving the CDC short term assistance. Mr. Liu said the nine units represented approximately $1 million gross sales and the net proceeds from those sales would assist the CDC operations, and noted the County was closely monitoring the agency.

Commissioner Jordan stated she would not support losing nine affordable units on Miami Beach.

Commissioner Levine Cava noted there was no compensation for the loss of

units; however, she was satisfied that Ms. Beatrice Barbario, Miami Beach CDC's new Executive Director had the experience to turn this project around. She asked that Ms. Mary Cagle, Inspector General, conduct a forensic audit to evaluate the Miami Beach CDC's Surtax loan given to the Scattered Sites Apartments, LLC for the Knightsbridge Condominium project's by the CDC's previous administration and to reclaim any losses if possible.

Commissioner Jordan noted she would support the proposal based on Commissioner Levine Cava's request for a forensic audit from the Inspector General.

Mr. Liu commented that an audit was conducted by the City of Miami Beach which did not reveal any criminal allegations; however, that audit did report irregularities by prior management. He spoke of the ongoing investigation by the U.S. Department of Housing and Urban Development.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/11/2015 3E *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

8K3

151394 **Resolution** **Economic Prosperity Committee**

RESOLUTION APPROVING THE FY 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; APPROVING SUBSTANTIAL AMENDMENTS TO THE FY 2013-2017 CONSOLIDATED PLAN; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (U.S. HUD) MIAMI-DADE COUNTY'S FY 2015 ACTION PLAN AND SUBSTANTIAL AMENDMENTS TO THE FY 2013-2017 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; APPROVING 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; APPROVING 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; AUTHORIZING, PURSUANT TO THE PROVISIONS OF SECTION 17-02 OF THE CODE 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; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE CERTAIN ACTIONS REGARDING ALL FUNDING AWARDS AND LOANS SET FORTH HEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 151332] (Public Housing and Community Development)

Adopted
Resolution R-579-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Mr. Eric Knowles, 100 S. Biscayne Boulevard, 3rd Floor, Miami, representing the Miami-Dade Chamber of Commerce, appeared before the Board and noted developers saw new possibilities for bringing commercial and residential vibrancy to African American communities. He said developers and private developers focusing on Overtown and Liberty City were being asked tough questions relating to the community benefits for residents as a result of new development efforts. Mr. Knowles said everyone's votes and voices must be heard about the most ambitious development in Liberty City's history, the Liberty Square project. He noted this development must directly benefit the surrounding black business and residential communities. Mr. Knowles said the black community and black businesses should be the beneficiaries of the growth in their own community and there should be significant black participation. He indicated that the community should benefit both short and long term from this $300 million project, noting the community needed to be fully engaged in the process. Mr. Knowles said that too many unanswered questions existed despite community meetings and there was not enough time to ensure the voices of the people would be heard by July 9, 2015.*

6/11/2015 1G5 SUB. *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

8K4

151197 **Resolution** **Economic Prosperity Committee**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT ON BEHALF OF MIAMI-DADE COUNTY A CAPITAL FUND FINANCING PROGRAM APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO DEVELOP A FINANCING STRUCTURE FOR THE MOST ADVANTAGEOUS USE OF SUCH PROGRAM'S FUNDS, SUBJECT TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL; AND DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK BOARD APPROVAL FOR AUTHORIZATION TO APPLY FOR, RECEIVE AND EXPEND ANY BONDS OR LOANS AND TO EXECUTE ANY AGREEMENTS THAT MAY BE REQUIRED (Public Housing and Community Development)

Adopted
Resolution R-580-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 3D *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

8L PUBLIC WORKS & WASTE MANAGEMENT DEPARTMENT

8L1

151124 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD IN THE AMOUNT NOT TO EXCEED $329,352.80 TO R & D ELECTRIC, INC. FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED "TRAFFIC SIGNAL INSTALLATION"; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND EXERCISE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS FOR SUCH PURPOSES

Adopted
Resolution R-581-15
Mover: Barbara J. Jordan
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Mr. Antonio Cortarelo, Deputy Director, Public Works and Waste Management Department, appeared before the Board in response to Commissioner Jordan's inquiry, and stated the County received a letter from the Small Business Development Department dated April 8, 2013, indicating the outstanding items related to the September 29, 2010, Notice of Violation had been satisfactorily resolved and the violation closed.*

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

6/10/2015 3B *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

8M REGULATORY & ECONOMIC RESOURCES

8M1

151208 **Resolution** **Esteban L. Bovo, Jr., Jose "Pepe" Diaz**

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH AND MIAMI-DADE COUNTY FOR SURFACE WATER QUALITY SAMPLING AND ANALYSIS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME (Regulatory and Economic Resources)

Adopted
Resolution R-582-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3C *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8M2

151220 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION AUTHORIZING THE RELEASE OF UNNEEDED CANAL RESERVATION LYING WITHIN THE NORTHEAST ¼ OF SECTION 17, TOWNSHIP 52 SOUTH AND RANGE 40 EAST IN THE CITY OF HIALEAH IN MIAMI-DADE COUNTY AS REQUESTED BY ERUDITIONAL, LLC; AND AUTHORIZING THE MAYOR TO EXECUTE DISCLAIMER FOR RELEASE OF RIGHTS OF RESERVATION (Regulatory and Economic Resources)

Adopted
Resolution R-583-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3F *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8M3

151038 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION AUTHORIZING THE RELEASE OF UNNEEDED CANAL RESERVATION LYING WITHIN THE NORTHEAST ¼ OF SECTION 17, TOWNSHIP 52 SOUTH AND RANGE 40 EAST IN THE CITY OF HIALEAH IN MIAMI-DADE COUNTY; AND AUTHORIZING MAYOR TO EXECUTE DISCLAIMER OF INTEREST FOR RELEASE OF RESERVATION (Regulatory and Economic Resources)

Adopted
Resolution R-584-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3D *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8M4

151218 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERPETUAL EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, IN ACCORDANCE WITH FLORIDA STATUTE SECTION 125.38, FOR NOMINAL CONSIDERATION OF $1.00, ON A PORTION OF COUNTY-OWNED PROPERTY FOR IMPROVEMENTS AND MAINTENANCE OF TRAFFIC FEATURES ALONG THE NORTHEAST CORNER OF THE INTERSECTION OF STATE ROAD NO. 969 (NW 72 AVENUE) AND NW 58 STREET (PARCEL 801); AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS THEREIN (Regulatory and Economic Resources)

Adopted
Resolution R-585-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3C *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

8M5

151221 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERPETUAL EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, IN ACCORDANCE WITH FLORIDA STATUTE SECTION 125.38, FOR NOMINAL CONSIDERATION OF $1.00, ON A PORTION OF COUNTY-OWNED PROPERTY FOR IMPROVEMENTS AND MAINTENANCE OF TRAFFIC FEATURES ALONG THE NORTHWEST CORNER OF THE INTERSECTION OF STATE ROAD NO. 969 (NW 72 AVENUE) AND NW 58 STREET; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS THEREIN (Regulatory and Economic Resources)

Adopted
Resolution R-586-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3D *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

8M6

151219 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION AUTHORIZING THE RELEASE OF UNNEEDED CANAL RESERVATION LYING WITHIN THE NORTHEAST ¼ OF SECTION 17, TOWNSHIP 52 SOUTH AND RANGE 40 EAST IN THE CITY OF HIALEAH IN MIAMI-DADE COUNTY AS REQUESTED BY ELSIE L. GOULD (Regulatory and Economic Resources)

Adopted
Resolution R-587-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3E *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8M7

151243 **Resolution** **Dennis C. Moss, Daniella Levine Cava**

RESOLUTION APPROVING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 184.9 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND PORTER US 1, LLC AS SELLER FOR A PURCHASE PRICE OF $775,000.00 USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09 (Regulatory and Economic Resources)

Adopted
Resolution R-588-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3G *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

8M8

151249 **Resolution** **Dennis C. Moss, Daniella Levine Cava**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 3.47 ACRES OF GOULDS PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM MIAMI ROCKRIDGE PINELANDS ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER, AND MORNING STAR BAPTIST CHURCH, INC AS SELLER FOR A PURCHASE PRICE OF $180,000.00 USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT FOR SALE AND PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09 (Regulatory and Economic Resources)

Adopted
Resolution R-589-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 3H *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

9 ADDITIONAL DEPARTMENTAL ITEMS

10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

10A1

151366 **Resolution** **Bruno A. Barreiro,**
Dennis C. Moss,
Audrey M. Edmonson

RESOLUTION APPROVING AN AMENDMENT TO THE FIVE-YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN TO INCLUDE THE QUAIL ROOST PARK & RIDE FACILITY AND THE TRI-RAIL DOWNTOWN MIAMI LINK CENTRAL STATION [SEE AGENDA ITEM NO. 8G1] (Citizens' Independent Transportation Trust)

Adopted
Resolution R-590-15
Mover: Dennis C. Moss
Seconder: Esteban L. Bovo, Jr.
Vote: 11- 0
Absent: Jordan, Suarez

Report: *Commissioner Moss noted the foregoing proposed resolution, as well as Agenda Item 3B2 on today's (6/30) agenda must be signed by the State of Florida Department of Transportation Secretary before 5:00 p.m., and asked whether the items could be considered out of order.*

County Attorney Robert Cuevas responded that these Items could be considered following a request for public comment on Agenda Items 3B2, 8G1 and 10A1. He noted Agenda Item 8G1 was a related item; Agenda Item 10A1 was amending the Peoples Transportation Plan (PTP); Agenda Item 3B2 was the joint partnership agreement for the Quail Roost Park and Ride Facility; which included the Quail Roost Station and the Downtown Tri Rail Station; and Agenda Item 8G1 was the Tri Rail extension.

Commissioner Moss noted the deadline was associated with the portion related to Quail Roost and could be bifurcated, should anyone have concerns about the Tri Rail.

Assistant County Attorney Bruce Libhaber clarified that Quail Roost was being considered in Agenda Item 3B2 and was also a part of Agenda Item 10A1 and could be bifurcated.

Assistant County Attorney Cuevas mentioned that the portion of Agenda Item 10A1 applied to Quail Roost amending the PTP needed to be considered before Agenda Item 3B2, unless it was amended to include Quail Roost. He confirmed that Item 10A1 could be bifurcated to exclude the Tri Rail.

It was moved by Commissioner Moss that Agenda Item 10A1 be bifurcated to exclude the portion relating to Tri Rail. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Jordan and Suarez were absent).

Chairman Monestime opened the floor for public comments and called for persons wishing to appear before the Board on the portion of the foregoing proposed resolution relating to Quail Roost or Agenda Item 3B2. Seeing no persons appear wishing to be heard, Chairman Monestime closed floor to public comment

It was moved by Commissioner Moss that the foregoing proposed resolution be adopted, as amended, to amend the PTP to include the Quail Roost Drive project; and to adopt Agenda Item 3B2, the Joint Partnership Agreement for the Quail Roost project. This motion was seconded by Commissioner Bovo, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Jordan and Suarez were absent).

Later in the meeting, it was moved by Commissioner Barreiro that the remainder of the foregoing proposed resolution (excluding Quail Roost) be adopted. This motion was seconded by Commissioner Bovo, and upon being put to a vote, passed by a vote of 13-0).

Note: See Agenda Item No. 8G1 AMENDED, Legislative File No. 152176 for addtional discussion on this item.

6/10/2015 1G1 *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

10A2

151340 **Resolution**

RESOLUTION APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE DEBT OBLIGATIONS BY THE HOUSING FINANCE AUTHORITY OF MIAMI-DADE COUNTY (FLORIDA), IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED $12,000,000.00 TO FINANCE OR REFINANCE ALL OR PORTION OF THE COSTS OF THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY HOUSING PROJECT TO BE KNOWN AS MARTIN FINE VILLAS FOR PURPOSES OF SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED (Housing Finance Authority)

Adopted
Resolution R-591-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11 COUNTY COMMISSION

11A RESOLUTIONS

11A1

151156 **Resolution** **Bruno A. Barreiro**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONSULT WITH THE MIAMI-DADE COUNTY HOMELESS TRUST, THE CITY OF MIAMI AND THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY TO IDENTIFY ADDITIONAL PLACEMENT OPPORTUNITIES FOR HOMELESS INDIVIDUALS AND TO CONSIDER THE FEASIBILITY OF IMPLEMENTING A PORTABLE BATHROOM PROGRAM IN THE DOWNTOWN MIAMI AREA, AND TO PREPARE AND SUBMIT A REPORT [SEE ORIGINAL ITEM UNDER FILE NO. 151036]

Amended

Report: *Note: See Agenda Item No. 11A1 Amended, Legislative File No. 151704 for the amended item.*

5/14/2015	2H Amended	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Prosperity Committee*
6/2/2015	11A2	*Deferred by the Board of County Commissioners*

11A1 AMENDED

151704 **Resolution** **Bruno A. Barreiro**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONSULT WITH THE MIAMI-DADE COUNTY HOMELESS TRUST, THE CITY OF MIAMI, THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY, CAMILLUS HOUSE, INC., MIAMI RESCUE MISSION, INC., THE SALVATION ARMY, AND THE SUNDARI FOUNDATION, INC. ALSO KNOWN AS LOTUS HOUSE, TO IDENTIFY ADDITIONAL PLACEMENT OPPORTUNITIES FOR HOMELESS INDIVIDUALS AND TO PREPARE AND SUBMIT A REPORT

Adopted as amended
Resolution R-592-15
Mover: Bruno A. Barreiro
Seconder: Sally A. Heyman
Vote: 13- 0

Report: *Chairman Monestime opened the floor to anyone wishing to address the Board in connection with the foregoing proposed resolution:*

City of Miami Commissioner Marc Sarnoff, 3500 Pan American Drive, Miami, appeared before the Board in connection with the foregoing proposed resolution, noting the City of Miami (City) passed a resolution asking the County Mayor to negotiate and develop a funding source to help the homeless. He explained that the City began a public-private partnership which took over 1,400 people off the City streets and gave them either a bed or a mat to sleep instead of a concrete pillow. Commissioner Sarnoff pointed out that the City could not force anyone to have service provided to them, to take a shower, to have medical attention or provide social services as a result of Judge Federico Moreno's Pottinger decision; however, the other 33 municipalities could. He noted the current program allowing people to ask for services when they felt ready was a voluntary program had over a 50 percent success rate. Commissioner Sarnoff said that although the homeless did not have a voice, he believed they were helped by the program. He commented that the resolution also asked the County to assist in providing bathroom facilities, noting the City would place portable facilities at various locations for one year. Commissioner Sarnoff asked for the County Commission's assistance to help Commissioner Barreiro and Mayor Gimenez find a middle ground in dealing with the City's homeless population. He stated that there were 1,000 homeless in the County, with 600 in the City and 300 in the downtown area. He noted a multitude of services was needed and that a modification to the Pottinger decision would help in finding a solution to the homeless problem.

City of Miami Commissioner Francis Suarez, 3500 Pan American Drive, Miami, noted homelessness was a quality of life issue for downtown residents and business owners. He expressed the need for the homeless to have both a comfortable and safe place to sleep.

City of Miami Commission Chairman Wifredo (Willy) Gort, 3500 Pan American Drive, Miami, appeared before the Board and stated that the homeless problem was not easy, noting the homeless needed help but did not know the type of help they need. Chairman Gort said the MAT program could provide the needed assistance and asked for County Commission's support.

City of Miami Mayor Tomas Regalado, 3500 Pan American Drive, Miami, appeared before the Board and acknowledged the County Commission for this conversation and Commissioner Barreiro for introducing the foregoing proposed item. He said the City closed its fiscal year with money allocated for one time capital improvements in each City district. Mayor Regalado noted his allocation would be used to fund portable toilets in downtown Miami; however, he pointed out that while portable toilets alone would not solve the homelessness issue, they would elevate the dignity of the homeless population, as did indoor feeding locations. He commented that the MAT program would not end homelessness. Mayor Regalado stated that the City's downtown was the County's downtown, noting that the homeless population surrounded the Stephen P. Clark Government Center, the History Miami and Miami Museum complex, the Arscht Center, the American Airlines Arena, and the Museum Park. He asked the County to be a partner and understand that supporting the project would not end homelessness but would take people off the streets at night.

Commissioner Moss requested that County Commissioner Suarez develop an event in Coconut Grove celebrating the contributions of the Bahamian

community to the City of Miami and Miami-Dade County, following Mayor Regalado's comments on the Bahamian settlers.

Assistant County Attorney Estephanie Resnik read into the record a proposed amendment to the foregoing proposed resolution, as requested by Commissioner Heyman, directing the County Mayor or the County Mayor's designee to additionally consult with Camillus House, Miami Rescue Mission and the Salvation Army.

Ms. Pauline Trotman, 541 NW 47 Terrace, Miami, Homeless Trust Board Member, Housing Committee Chairperson, Allapattah Advisory Committee Vice Chair, and Better Way of Miami Housing Program Director of Housing, appeared before the Board and stated the Homeless Trusts' mission was to eliminate homelessness in the County, noting any reduction in housing and service funding would contribute to additional homelessness.

Ms. Olga Golik, 6200 SW 19 Street, Miami, representing Citrus Health Network, 4175 W 20 Avenue, Hialeah, and the Florida Supportive Housing Coalition as its Vice President, appeared before the Board and noted that people should not have to live on the streets or become homeless because they could not afford housing. Ms. Golik noted emergency shelters were a more expensive solution than permanent housing; however, permanent housing was more effective. She pointed out that the Homeless Trust's data showed 13 percent of those in emergency shelters returned to homelessness, while those in permanent housing had a 3 to 6 percent return rate. Ms. Golik said that downtown leaders should ask the City of Miami for the $2 million housing funding received from the U.S. Department of Housing and Urban Development to help the homeless and disabled populations; and she encouraged the County to look for long term solutions.

Ms. Beatriz Urdarieta, a Camillus House resident, appeared before the Board and spoke in support of the foregoing proposed resolution.

Ms. Melissa Gallo, 140 West Flagler Street, Suite 103, Miami, representing the Miami Coalition for the Homeless, appeared before the Board and spoke in support of the proposal and urged the Commission to address the needs of our most vulnerable residents.

Ms. Maria Gralia, 150 West Flagler Street, Miami, appeared before the Board and spoke in support of the proposed resolution, noting this was an issue of dignity.

Ms. Melissa Dynan, 3530 Thomas Avenue, Miami, appeared before the Board and spoke in support of the proposed resolution, requesting that the MAT program funding not impact the Homeless Trust funding and that a more permanent solution was needed to address the portable toilet issue.

Mr. Jaime Jose Pino, 1603 NW 7 Avenue, Miami, appeared before the Board and spoke in support of the proposed resolution, noting he was a Camillus House resident who used the MAT program.

Mr. Manuel Sarria, Assistant Director, Miami-Dade County Homeless Trust, 111 NW 1 Street, 27th Floor, Miami, appeared before the Board and noted support for the foregoing proposal. He pointed out the key to ending homelessness was permanent housing. Mr. Sarria suggested that competitive priced and performance driven emergency and permanent housing was needed to end homelessness.

Ms. Victoria Mallette, Executive Director, Miami-Dade County Homeless Trust, 111 NW 1 Street, 27th Floor, Miami, appeared before the Board and noted the Homeless Trust supported the foregoing proposed resolution, and was committed to working with the City of Miami, Downtown Business Authority and all stakeholders to eliminate homelessness. She said an additional 124 placements for homeless persons was being created through a competitive process of which 91 were long term permanent housing units with support for the most vulnerable individuals. Ms. Mallette commented that more permanent affordable housing options were desperately needed, noting there was no single approach to ending homelessness. She said the Homeless Trust strove to provide every homeless individual care through its umbrella of services and housing. Ms. Mallette described the goal to end chronic homelessness by 2017, noting the U.S. Department of Housing and Urban Development shifted its focus toward permanent housing. She noted everyone was aware homeless individuals were located within the urban core and the desire to work with downtown residents and business owners on real, long term, and proven solutions. Ms. Mallette pointed out that homelessness was reduced by over 90 percent through the Homeless Trust's Continuum of Care. She asked the City of Miami and the Downtown Development Authority to partner with the County to leverage resources and embrace long term solutions.

Mr. Bob Dickinson, 29 Tahiti Beach Island Road, Coral Gables, representing the Camillus House as its Chair, 1603 NW 7 Avenue, Miami, and Governor Rick Scott's Florida Consul on Homelessness, appeared before the Board in connection with the foregoing proposed resolution. He noted the Camillus House was the largest service provider for the homeless in Miami-Dade County, operating since 1960. Mr. Dickinson said that due to the lack of emergency beds in the continuum of care, the City of Miami and the Downtown Development Authority approached Camillus House regarding the feasibility of providing mats, allowing the police to operate legally under the terms of the Pottenger decision. He noted 100 individuals were removed from the streets since last August and provided with a robust array of services, including food, clothing, shelter, security, medical, daytime activities and case management in a safe and hospitable environment. Mr. Dickenson commented that the MAT program, which currently consisted of 115 mats, was embraced by individuals who typically refused bunk beds and close quarters associated with an emergency shelter. He concluded that the program was a successful with meaningful deliverables for the most challenged population.

Dr. Rolando Montoya, Miami-Dade College Provost, 300 NE 2 Avenue, Miami, and Downtown Development Authority Homeless Task Force Chair appeared before the Board and expressed support for the foregoing proposal. He commented that additional funding was needed to continue the pilot program, noting emergency support was needed for downtown's chronic homeless.

Ms. Christina Crespi, representing the Downtown Development Authority (DDA), 200 S. Biscayne Boulevard, Miami, appeared before the Board in support of the foregoing proposal. She pointed out that the DDA supported the City of Miami Shelter Program at Camillus House, a pilot program serving 1,300 people since August, 2014. Ms. Crespi requested the foregoing proposed resolution be amended to consider funding for the MAT program, noting this option was better than the sidewalks. She indicated that the City of Miami and downtown restaurants contributed $6.7 million in food and

beverage tax of which $700,000 was currently being requested for mats.

Mr. Shed Boren, Chief Executive Officer, Camillus House 1603 NW 7 Avenue, Miami, appeared before the Board and described the various services provided by of Camillus House, at fourteen locations with 5,500 individuals assisted this year. He pointed out that the MAT program was created in response to the City of Miami's request to expand emergency shelter beds, noting the same services including health care and case management were provided to these individuals as in the regular shelter. Mr. Boren said 52 percent of MAT program participants were later moved into permanent housing. He concluded that although a shelter bed inside a building was better than a mat, a mat was better than the street.

Officer James Bernat, Executive Assistant to the Chief of Police, City of Miami, 400 NW 2 Avenue, Miami, appeared before the Board with a video presentation depicting the lack of and need for available shelter in the local community, the Camillus House facilities and personal stories of clients served.

Mr. Brian Alonso, La epoca Department Store, 200 East Flagler Street, Miami, and Homeless Trust Board member, appeared before the Board and commented on the MAT program's positive impact.

Mr. Alan Ojeda, 1450 Brickell Avenue, Miami, appeared before the Board and spoke in support of the foregoing proposed resolution and helping others in need.

Mr. Vladimir Dubois, Downtown Ambassador, Downtown Development Authority, 19 West Flagler Street, Miami, appeared before the Board and explained that his job was to address issues affecting the quality of life in downtown Miami, and to make it one of the most livable cities in the Country. He pointed out that the homeless were often turned away and needed to sleep on the streets because of the lack of beds. Mr. Dubois said the homeless needed help and asked the Board to support the proposal and MAT program funding.

Mr. Yuesley Francois, Downtown Ambassador, 19 West Flagler Street, Miami, appeared before the Board and spoke in support of the proposed resolution, noting the need to provide a place to sleep and eat.

Mr. Richard Sargent, 350 NW 4 Street, Miami, appeared before the Board and spoke in support of the proposal, noting he supervised individuals who were previously MAT program participants and now productive members of society and paying taxes.

Mr. Eugene Gordon, 1887 NW 81 Street, appeared before the Board and spoke in support of the proposal and the positive aspects of the MAT program services.

Mr. Lynnward Mc Clyde, 1603 NW 7 Avenue, Miami, appeared before the Board and noted his support for the foregoing proposed resolution. He said he was previously homeless and chose to participate in the MAT program which provided an opportunity, structure, meals, medical and addiction treatment, a place to sleep and a job.

Mr. Mark Warren, 1401 NW 103 Street, Miami, appeared before the Board in support of the foregoing proposal, noting he was a MAT program

participant. He spoke on the impact the program had on his life and the community.

Brother Bill Osmanske, 1603 NW 7 Avenue, Miami, representing Camillus House, appeared before the Board and noted the history and purpose of Camillus House. He told the story of a Camillus House resident and asked for continued Courtyard Program support.

Mr. Fred Mims, 1603 NW 7 Avenue, Miami, Direct Care Ministry Director, Camillus House, appeared before the Board and stated the Courtyard Program provided a safe and fear free environment to individuals resisting shelter. He said the Program provided homeless individuals with basic emergency services, showers, meals, clothing, case management, medical attention and psychological services. Mr. Mims noted the goal to establish trusting relationships with homeless clients that would assist in the transition to a more stable environment.

Ms. Rebeca Carter, 1824 Brickell Avenue, Unit 1D, Miami, appeared before the Board in support of the foregoing proposal. She requested the Homeless Trust focused more on the Downtown and Brickell neighborhoods, pointing out issues associated with homeless individuals at a nearby park. Ms. Carter requested that this item be amended to include funding for the MAT program.

Ms. Lisbeth Bustin, 12750 Red Road, Coral Gables, appeared before the Board in support the foregoing proposal. She indicated she was a volunteer for the Downtown Neighbors Alliance, noting their Board of Directors passed a resolution urging Miami-Dade County's support of the MAT program for the chronic homeless and to explore funding alternatives to continue this innovative program.

Dr. Paula Petry, 900 Biscayne Boulevard, Miami, appeared before the Board and commented on the success of the Downtown Development Authority's MAT program, noting the unique needs of homeless individuals living on the downtown streets. She said the option of a safe place to sleep was the first step for those who perceived they had no other option toward healthier living.

Ms. Maria Martinez, 50 Biscayne Boulevard, #1806, Miami, President, 50 Biscayne Condominium Association, appeared before the Board and requested that the foreoing proposed resolution include funding for the MAT program. She noted the $700,000 needed for the program was a small amount in comparison to the Homeless Trust's overall budget and should be included as part of an overall comprehensive program.

Reverend Pedro Martinez, 50 Biscayne Boulevard, Miami, representing Hope in Miami Dade, a non-profit organization seeking to reduce homelessness, appeared before the Board and spoke in support of the MAT program.

Mr. Charles Wright, 1603 NW 7 Avenue, Miami, representing Hope in Miami, appeared before the Board and noted he was previously a program participant and asked that the MAT program not be shut down.

Mr. Horacio Stuart Aguirre, 1910 NW 13 Street, Miami, appeared before the Board and spoke in support of the foregoing proposal and the MAT program, noting anyone could become homeless at some point in their lives.

Ms. Debra Webb, 1400 NW 54 Street, Miami, representing Key Clubhouse as its Executive Director, appeared before the Board and stressed the need for

permanent affordable housing for individuals with mental illnesses.

Mr. Brett Bibeau, 1407 NW 7 Street, Suite D, Miami, Managing Director, Miami River Commission, appeared before the Board, noting the City of Miami's successful shelter program was critical to implementing the revised Pottenger settlement agreement.

Mr. David Perry, 400 NW 3 Court, #503, Miami, Camillus Consumer Advisory Board Chairperson, and class representative in the Pottenger vs City of Miami litigation, appeared before the Board and expressed support for the foregoing proposed resolution. He pointed out that the MAT program was being used as a stepping stone to access a wide range of health related services. Mr. Perry encouraged the Homeless Trust to consider the program as a vital tool in solving homelessness in this community.

Ms. Robin Cole, 1135 92 Street, Bay Harbor Islands, representing the National Alliance on Mental Illness of Miami, appeared before the Board in support of the foregoing proposal. She pointed out that homelessness was also a mental health issue needing to be addressed with continuity of care, outpatient services, safe and affordable housing, employment, job training and case management.

Mr. H. Daniel Vincent, 7834 SW 165 Street, Palmetto Bay, President and Chief Executive Officer, Chapman Partnership, 1550 N. Miami Avenue, Miami, appeared before the Board and stated that the Homeless Trust's vision was always to create an independent public-private partnership to manage the financial resources and required framework for the continuum of care service providers. He noted these partnership efforts resulted in a proven and respected model implemented by many cities throughout the Country. Mr. Vincent suggested looking at the progress made over the past 20 years when there were 8,000 homeless on Miami's streets. He expressed confidence in the Homeless Trust's ability to continue working together to remediate homelessness in the community.

Ms. Huiyi Jackson, 111 E Flagler Street, #601, Miami, appeared before the Board in support of the MAT program and the Public Ambassador Program.

Mr. Carlos Padron, 1603 NW 7 Avenue, Miami, Camillus House resident, appeared before the Board and spoke in support of the foregoing proposed resolution.

Ms. Constance Collins, 1514 NW 2 Avenue, #1, Miami, Executive Director, Lotus House Women's Shelter, appeared before the Board and spoke in support of the foregoing proposal. She presented a research and position paper, and acknowledged the Board for bringing awareness to this important issue. Ms. Collins noted public policy debates, media reporting and community conversations about homelessness was limited to those most visible, the chronic homeless individuals suffering from mental illness. She said the reports ignored the largest segment of homeless individuals in the community, the children, noting there were over 346 homeless children identified by the Miami-Dade County Public Schools. Ms. Collins noted the systemic root causes of homelessness needed to be addressed at the federal government level.

Mr. Clifton Bogart, 1603 NW 7 Avenue, Miami, appeared before the Board and spoke in support of the foregoing proposal, noting homelessness was a

situation and not a disease.

Mr. Julian Cato, 1603 NW 7 Avenue, Miami, Camillus House resident, appeared before the Board and spoke in support of the foregoing proposal, noting he now lived in a bed after being on a mat for two weeks. He pointed out that a better vacant bed count was needed during nighttime hours.

Ms. Linda Lefebure, 1603 NW 7 Avenue, Miami, Camillus House MAT program resident, appeared before the Board and spoke in support of the foregoing proposal, noting she was beaten and sexually assaulted while out on the streets.

Ms. Mary Jane Janelle, 1603 NW 7 Avenue, Miami, Camillus House resident, appeared before the Board and spoke in support of the foregoing proposal, noting she transitioned from the MAT program to a bed. She said she received free medical, dental and mental health services through the program.

Ms. Paola Roman, 8150 NW 53 Street, Doral, representing Carrfour Supportive Housing, appeared before the Board and said it was prudent to use scarce resources allocated to homelessness wisely, noting Carrfour's goal was to address permanent supportive housing needs of homeless residents.

Dr. Evalina Bestman, 9230 NW 13 Court, Miami, appeared before the Board and noted the issue was not about mats or homeless programs, but one of power and control. She indicated that over twenty years ago, Mr. Alvah Chapman, Mayor Alex Penellas, Ms. Pat Pepper, Ms. Beth Lang, Governor Jeb Bush, herself, other community leaders and homeless representatives, developed a coordinated continuum of care for the homeless with an independent body of community volunteers being responsible for the oversight and management of state, federal, private and surtax funds. She noted the process of revision or modification of the homeless plan and distribution of funds should be depoliticized, the process should be an inclusive public private partnership, yet independent, competitive and fair to all organizations whose mission is to serve the homeless. Dr. Bestman asked the Board to support the Homeless Trust in their goal to develop programs in the community and to carry out the plan's mandates.

Mr. Leslie Edmond, Camillus House MAT program participant, appeared before the Board and noted the program provided a roof over his head, meals and the ability to continue his education.

Madame Renita Holmes, 350 NW Lebrae Place, Miami, appeared before the Board and expressed the importance of citizen participation. She said she was currently an Overtown resident and was previously homeless. Madame Holmes questioned whether the number of unclassified homeless women who died as a result of not having a mat to sleep on was being reported. She noted some housing can't wait to be affordable as we have already been taxed too much. Madame Holmes also questioned whether the mental health concerns of homeless individuals were being addressed.

Mr. Ron Book, 18851 NE 29 Avenue, Aventura, Chairman, Miami-Dade County Homeless Trust, appeared before the Board and acknowledged the County Commission, the County Mayor, Deputy Mayors and County staff on behalf of the Homeless Trust for being given the opportunity to implement the ten-year plan to end homelessness. Mr. Book stated that the U.S. Department of Housing and Urban Development (HUD) declared Miami as a best

practices model six times, and that it did not happen by accident. He said the Homeless Trust reduced street homelessness by 90 percent because they had a plan, they had leadership and they had resources. Mr. Book stated the Homeless Trust avoided micromanaging the plan and influencing the recommendations of experts, noting they were the only urban community without an increase in street homeless during the economic downturn, with the exception of last January with a one-time spike of 67 bodies. He explained that the County counted the homeless population two times per year, where others counted only once, as required by HUD. He noted that the Homeless Trust participated in every one of the federal programs and had met the challenges.

Mr. Book said that the Homeless Trust paid Camillus House $6.2 million during the year to provide beds, noting they currently received more continuum of care funding than they did one year ago. He commented that the Homeless Trust only implemented and funded programs over the past 21 years which were evidence-based, outcome and performance measured. Mr. Book said that HUD gave the County $35 million annually; however, indicated that MAT programs were not funded since they were not evidenced-based and did not produce results. Mr. Book said he did not support the MAT program because it worked as a deterrent in getting the hardest, most chronic individuals off the street. He stated that mats were not supported by HUD for use throughout the Country, nor were they funded by the State of Florida. Mr. Book pointed out that Dr. Evalina Bestman was part of the group that looked at programs throughout the Country and found that the MAT program was a warehouse program, putting people on the ground. He indicated the Homeless Trust rejected the MAT program and wanted a smart business model that was evidence-based with outcome and performance measures, noting MAT programs were not successful in Orlando, FL.

Mr. Book commented on the Homeless Trust having adequate reserves, noting the $6.2 million allocation belonged to the Domestic Violence Oversight Board, and could not be touched under State law or County ordinance. He said the Homeless Trust had a $3.1 million capital reserve with capital needs associated with the Homeless Assistance Centers located at 1550 N. Miami Avenue and the 145 unit Verde Gardens development and the micro-enterprise farmers market in the City of Homestead. He indicated that HUD required the Homeless Trust to submit a budget with two percent and five percent reductions, which could result in putting people back out on the streets, closing programs and cutting services. Mr. Book said he was not opposed to the City of Miami or the Downtown Development Authority funding a MAT program, pointing out that the Homeless Trust never brought a bid waiver to the Board and did not extend contracts without a new bid in its 21 years of operation. Mr. Book said it cost more money to put someone on a mat than on a bed and that a bed was a solution with regard to case management wrap-around services, and produced results getting people off the street. Mr. Book stated that he, Mayor Gimenez, and the Homeless Trust staff wanted the opportunity to get people off the street, noting they had a plan that worked and the resources. Mr. Book stated that housing first was a proven strategy to end homelessness and that veteran's homelessness will end earlier than the December 31, 2015 projected date.

There being no further persons to come forth, the Board proceeded to consider the forgoing proposed resolution.

In response to Chairman Monestime's request, County Attorney Robert Cuevas confirmed that the Board could discuss this item and take action prior

to setting the meeting agenda.

On behalf of Commissioner Barreiro, Assistant County Attorney Estephanie Resnik read a proposed amendment to the foregoing proposed resolution that would remove any language from the body and title of the Item referencing a downtown Miami portable bathroom program.

Assistant County Attorney Resnik noted a proposed amendment presented by Commissioner Heyman directing the County Mayor or County Mayor's designee to additionally consult with Camillus House, Miami Rescue Mission, the Salvation Army and the Sudari Foundation, Inc. (Lotus House); to include those organizations names after reference to the Miami Downtown Development Authority on Line 4 of the NOW, THEREFORE CLAUSE on Handwritten Page 4.

Commissioner Barreiro accepted Commissioner Heyman's proposed amendment. He commented that today's (6/30) speakers were very passionate about the issue. Commissioner Barreiro mentioned that Mr. Book dedicated many years to homelessness issues in the community. He noted that both the City of Miami and the Downtown Development Authority (DDA) were substantially involved in the homelessness issues as well. Commissioner Barreiro said that the Downtown Miami area was becoming a 24 hour destination. He clarified the intent of the foregoing proposed resolution was to identify additional placement opportunities for homeless individuals and was not addressing mats or methods of getting into a shelter. Commissioner Barreiro stated that no one should be living on the street and that it was governments' responsibility to provide a dignified place for the homeless to sleep at night with sufficient services. He spoke of the work of the Homeless Trust in reducing the homeless population, noting the ultimate goal was for no one to be out in the street at night. Commissioner Barreiro expressed his appreciation to City of Miami Mayor Regalado and the DDA for supporting the portable bathroom program.

Commissioner Heyman spoke with regard the half cent surtax to invest in the community. She stated that the County approached the issue with dignity and used a comprehensive effort rather than being fragmented. Commissioner Heyman acknowledged Commissioner Barreiro for presenting the foregoing proposal and all stakeholders for their willingness to address the homelessness issue. She stated that the Homeless Trust worked with the County Commission on the civil citation issue, noting arrests could result in the loss of jobs and housing. Commissioner Heyman expressed her appreciation to City of Miami Mayor Regalado for funding the portable bathroom program.

Assistant County Attorney Resnik clarified that the proposed amendment would delete references to the portable bathroom program in downtown Miami.

Ms. Mallette stated that the portable bathroom program was not an issue because it was already funded by the City of Miami. She noted the Homeless Trust supported the foregoing proposed resolution, and was working with the City of Miami, the DDA and all stakeholders to create additional placements for homelessness, with the exception of the portable bathroom program.

In response to Commissioner Jordan's inquiry, Ms. Mallette clarified that the Homeless Trust had never funded a MAT program. She stated the current MAT program did not go through a competitive process and was designated

for one entity. Ms. Mallette indicated the Homeless Trust was not considering funding portable bathrooms.

Commissioner Jordan inquired whether the report would designate a source to pay for portable bathrooms other than the Homeless Trust.

Mr. Book replied that the Homeless Trust did not believe a portable bathroom was part of its mission to end homelessness. He said he could not envision the Homeless Trust funding mats out of its resources and another funding source would be required.

Commissioner Jordan expressed concern whether the Homeless Trust would be put in a compromising position if the plan recommended mats.

Commissioner Barreiro responded that he did not believe it would impact the Homeless Trust's plan and that County Administration should be included in the review process.

Commissioner Jordan recalled the Homeless Trust's mission was "beds first" in getting people off the street and felt the Board should not deviate from that mission. She said that all programs should go through a competitive process and not automatically awarded.

Commissioner Sosa commended the City of Miami for partnering with other organizations to solve the homelessness problem. She said that beds should be provided rather than having people sleeping on the floor with mats. Commissioner Sosa inquired about Camillus House's capacity and what was needed to provide more beds.

Mr. Book responded that the Camillus House had capacity, beds, and reconfiguration opportunities. He mentioned that the Salvation Army also had room to accommodate an additional 16 beds. Mr. Book indicated that providing additional beds was a recurring expenditure and the Homeless Trust was prepared to evaluate additional options through a bid process.

Mr. Boren stated he believed in the housing first model. He said that a need existed to increase bed capacity for emergency shelter and that it was his priority to find ways to expand capacity across the fourteen Camillus campuses.

Commissioner Sosa noted the need to evaluate options; to develop a solution to other counties dumping their homeless in Miami-Dade County; to provide medical care for mental illness patients; and to offer educational opportunities for self-sufficiency.

Mr. Book spoke regarding efforts to manage the issue of other communities dumping their homeless in Miami. He noted a long standing partnership with the Miami-Dade Public Schools to provide educational opportunities and that the State of Florida was participating in a Homeless Management Information System used by the Homeless Trust to track the homeless population.

Commissioner Levine Cava noted the Homeless Trust was created as a result of business, civic, and governmental concerns and the possibility of ending homelessness was apparently within reach. She indicated that the foregoing proposal called for a study and recommendations, noting this discussion presented a broad range of concerns to be included in the study. Commissioner Levine Cava pointed out that "housing first" needed to be

addressed as a nationally recognized and supported policy; that new shelter beds were needed; and whether or not the goal of ending homelessness could really be accomplished. She pointed out that this discussion provided for community awareness, education and involvement, Commissioner Levine Cava suggested that the Homeless Trust considered televising its meetings for more openness and community awareness.

Commissioner Diaz said homelessness was a difficult issue touching each commission district. He asked Mr. Book to report on the number of homeless in the community at the time the Homeless Trust was created versus the current number, and the number of beds.

Mr. Book reported there were originally 8,000 homeless individuals on the streets with fewer than 1,000 beds in the continuum of care; there were 1,007 reported homeless in January 2015; and there were currently over 1,900 emergency beds, 1,700 transitional housing beds, 6,498 permanent housing units and the referral agency for an additional 1,971 public housing units in the continuum of care.

Commissioner Diaz congratulated the Homeless Trust on an outstanding job. He encouraged the City of Miami to continue providing its support, noting he did not want the Homeless Trust to deviate from their successful mission. Commissioner Diaz pointed out that politics and grand standing needed to be removed from the issue. He acknowledged Mr. Book and the Homeless Trust's efforts to support and end homeless veterans by the end of the year.

Commissioner Edmonson noted she was a Homeless Trust Board member and believed in its mission. She stated she did not believe Commissioner Jordan's question was addressed and wanted to ensure that the foregoing proposed legislation and the recommended review, would not force the Homeless Trust to fund mats. Commissioner Edmonson stated she agreed with Commissioner Diaz in keeping politics and power grabs out of the issue. She noted her support of the foregoing proposed resolution.

Chairman Monestime noted that, according to Mr. Book, it was not the mission of the Homeless Trust to fund mats. He questioned whether or not the numbers of mats needed were available and the cost to fund the mats.

Mayor Carlos Gimenez reported that the number of mats needed had not determined. He said legislation provided that no homeless individual in Miami-Dade County would sleep on the street; however, he did not know what it would take to accomplish that effort, noting future discussions would determine what was needed. Mayor Gimenez indicated that the Homeless Trust reduced the homeless population by 90-95 percent and that the remaining 5-10 percent would be the hardest portion to solve. He promised that his Administration would look at every possible solution to bridge the gap and get the homeless population as close to zero as possible. Mayor Gimenez spoke in support of the foregoing proposed resolution.

Chairman Monestime requested that the report be finalized and delivered within 90 days.

Commissioner Diaz said there were many different positions being presented on ending homelessness. He noted it would be prudent to reach consensus and develop a plan to end homelessness for the remaining 1,000 individuals.

Hearing no further questions or comments, the Board proceeded to vote on

the foregoing proposed resolution, as amended, directing the County Mayor or the County Mayor's designee to additionally consult with Camillus House, Miami Rescue Mission, the Salvation Army and the Sudari Foundation, Inc. (Lotus House); to include those organizations names after reference to the Miami Downtown Development Authority on Line 4 of the NOW, THEREFORE CLAUSE on Handwritten Page 4; and to remove references to considering the feasibility of implementing a portable bathroom program in the downtown Miami area from the title and body of the item.

11A2

142805 **Resolution** **Bruno A. Barreiro**

RESOLUTION DECLARING SURPLUS COUNTY-OWNED LAND LOCATED AT 1280 NW 11TH STREET IN THE CITY OF MIAMI, FLORIDA, AUTHORIZING THE CONVEYANCE OF SAME TO THE RIVER LANDING CONSERVATION FOUNDATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE PURPOSE OF CREATION AND MAINTENANCE OF GREEN SPACE, SEAWALL, LANDSCAPING, LIGHTING AND A RIVERWALK OPEN TO THE PUBLIC, AS WELL AS INCIDENTAL PUBLIC FAIRS OR SHOWS FOR NO MORE THAN THIRTY TOTAL DAYS A YEAR, AND REQUIRING THE FOUNDATION'S EXPENDITURE OF A MINIMUM OF $3,974,223.00 TO CREATE SUCH IMPROVEMENTS; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD AND POLICY SET FORTH IN RESOLUTION NO. R-256-13 REQUIRING A LEASE RATHER THAN A DEED WHEN CONVEYING PROPERTY TO NOT-FOR-PROFIT ENTITIES UNDER FLORIDA STATUTE SECTION 125.38; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED AND DECLARATION OF RESTRICTIONS FOR SUCH PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY

Amended
Vote: Unanimous

Report: *Note: See Agenda Item No. 11A2 AMENDED, Legislative File No. 151703 for the amended version.*

1/15/2015	2A	*Forwarded to BCC with a favorable recommendation from the Land Use & Development Committee*
2/3/2015	11A2	*Deferred by the Board of County Commissioners*

11A2 AMENDED

151703 **Resolution** **Bruno A. Barreiro**

RESOLUTION DECLARING SURPLUS COUNTY-OWNED LAND LOCATED AT 1280 NW 11TH STREET IN THE CITY OF MIAMI, FLORIDA, AUTHORIZING THE CONVEYANCE OF SAME TO THE RIVER LANDING CONSERVATION FOUNDATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE PURPOSE OF CREATION AND MAINTENANCE OF GREEN SPACE, SEAWALL, LANDSCAPING, LIGHTING AND A RIVERWALK OPEN TO THE PUBLIC, AS WELL AS INCIDENTAL PUBLIC FAIRS OR SHOWS FOR NO MORE THAN THIRTY TOTAL DAYS A YEAR, AND REQUIRING THE FOUNDATION'S EXPENDITURE OF A MINIMUM OF $3,974,223.00 TO CREATE SUCH IMPROVEMENTS; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD AND POLICY SET FORTH IN RESOLUTION NO. R-256-13 REQUIRING A LEASE RATHER THAN A DEED WHEN CONVEYING PROPERTY TO NOT-FOR-PROFIT ENTITIES UNDER FLORIDA STATUTE SECTION 125.38; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED AND DECLARATION OF RESTRICTIONS FOR SUCH PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY [SEE ORIGINAL ITEM UNDER FILE NO. 142805]

Adopted as amended
Resolution R-593-15
Mover: Bruno A. Barreiro
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Mr. Brett Bibeau, 1407 NW 7 Street, Suite D, Miami, Managing Director, Miami River Commission, appeared before the Board in support of the foregoing proposed resolution.*

Assistant County Attorney Debra Herman read the proposed amendment into the record on behalf of Commissioner Barreiro.

Commissioner Levine Cava expressed concern regarding the conveyance of park land rather than leasing the land. She indicated that the developer previously wanted to purchase the property and would not agree to a lease and would make substantial improvements to the seawall. Commissioner Levine Cava pointed out that the developer was subsequently awarded an economic development grant in the approximate amount of the cost to repair the seawall. She indicated that the parcel should be maintained as County property and as a park with a long-term lease.

Commissioner Barreiro stated that the intent of the amendment was to keep the park open to the public.

Mr. Brian May, 235 Catalina Avenue, Coral Gables, representing the River Landing Project, appeared before the Board and said that a proposal to lease the property was presented to the developer; however, the minimum requirement for the investment could only be used as a park and could not be developed or other revenue generation on the property. He indicated that the intention was for a continuation of the River Walk, which was a part of the River Landing project. Mr. May said property ownership would be required for it to be feasible to rebuild the seawall and improve the grounds as an open to the public park. He pointed out that the minimum required investment was $4 million with a total cost of approximately $7 million. Mr. May asked for the Board's support to approve the proposal as a park with all the restrictions on the property.

Commissioner Barreiro commented on the project review related to the project's quality of development and the area in an article in today's (6/30) Wall Street Journal.

Commissioner Jordan expressed the need for consistency related to leases versus conveyance of properties, noting she believed the Board previously passed legislation to lease properties rather than to convey.

Assistant County Attorney Herman indicated that the foregoing proposed resolution provided for a waiver of Resolution No. 256-13 concerning the Board's policy of leasing rather than conveying property, unless other compelling circumstances justified the conveyance.

Commissioner Jordan asked Assistant County Attorney Herman to prepare legislation repealing Resolution No. 256-13, noting it should be up to the Board to make these decisions on a case by case basis. She said this was necessary to avoid the appearance of bias and a double standard.

Commissioner Zapata asked for clarification on whether or not the County required the expenditure amount or the construction of the seawall. He also asked what would happen if the cost to repair the seawall exceeded the agreed upon amount.

Assistant County Attorney Herman responded to Commissioner Zapata's inquiry and stated funding in the amount of over $3.9 million was required.

She referred to; Exhibits A and B of the foregoing proposal concerning work to be performed and completed, and the expenditure of funds. Ms. Herman indicated that the County would revert ownership of the property should there was a breach of contract.

In response to Commissioner Levine Cava's question on whether or not the covenant on the land could be subsequently changed, Assistant County Attorney Herman reported that any change would require the Board's approval, with a majority vote.

Assistant County Attorney Herman responded to Commissioner Jordan that the vote could be changed to a super majority vote.

County Attorney Robert Cuevas explained that if the covenant was to be released it would take an extraordinary vote.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as amended to insert the wording "at all times" immediately following "by the public" on Line 2 of Handwritten Page 12; and to amend the LEGAL DESCRIPTION and swapped out as set forth in the amendment and including the legal descriptions, sketches and Exhibits 1 and 2, describing easements which will be retained by the County for the future expansion and renovation of the 836 Expressway on Handwritten Pages 8 and 11.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

11A2 SUPPLEMENT

151541 **Supplement**

SUPPLEMENTAL INFORMATION TO RESOLUTION DECLARING AS SURPLUS A COUNTY-OWNED PROPERTY LOCATED AT 1280 NW 11 STREET, MIAMI, FLORIDA — ***Presented***

11A3

151475 **Resolution** **Daniella Levine Cava,**
Audrey M. Edmonson,
Barbara J. Jordan

RESOLUTION WELCOMING, SUPPORTING AND PROMOTING THE 24TH ANNUAL GENERAL MEMBERSHIP MEETING OF THE EAST COAST GREENWAY ALLIANCE TO BE HELD NOVEMBER 13-15, 2015 IN MIAMI-DADE COUNTY, ALONG WITH THE ASSOCIATED WHEELS EVENTS TO BE HELD NOVEMBER 11-15, 2015 THROUGHOUT MIAMI-DADE COUNTY; URGING THE PUBLIC AND PRIVATE SECTORS TO SUPPORT THESE EVENTS; AND CALLING UPON MIAMI-DADE COUNTY RESIDENTS TO PARTAKE IN THESE EVENTS MEANT TO ENCOURAGE MORE MOBILITY VIA BIKING, WALKING, TRANSIT AND TRAILS [SEE ORIGINAL ITEM UNDER FILE NO. 151305]

Adopted
Resolution R-594-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Note: The foregoing proposed resolution was adopted on July 1, 2015.*

6/10/2015 2A AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit and Mobility Services Committee*

11A4

151463 **Resolution** **Daniella Levine Cava,**
Jean Monestime

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR MIAMI-DADE COUNTY TO BE DESIGNATED AS A PARTICIPATING COMMUNITY OF "CITIES FOR CITIZENSHIP"; DEVELOP AND IMPLEMENT A PLAN TO LAUNCH AN INITIATIVE IN FISCAL YEAR 2015-2016 THAT WILL PROMOTE INCREASING THE NUMBER OF LEGAL PERMANENT RESIDENTS IN MIAMI-DADE COUNTY WHO APPLY FOR CITIZENSHIP; IDENTIFY AND UTILIZE LEGALLY AVAILABLE FUNDING SOURCES IN THE FISCAL YEAR 2014-2015 COUNTY BUDGET TO LAUNCH A PUBLICITY CAMPAIGN DURING "NATIONAL CITIZENSHIP MONTH" TO RAISE AWARENESS ABOUT THE INITIATIVE; SUBMIT A STATUS REPORT [SEE ORIGINAL ITEM UNDER FILE NO. 151303]

Amended

Report: *Note: See Agenda Item 11A4 AMENDED, Legislative File No. 151700 for the amended item.*

6/11/2015 2A AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Prosperity Committee*

11A4 AMENDED

151700 **Resolution** **Daniella Levine Cava, Jean Monestime**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR MIAMI-DADE COUNTY TO BE DESIGNATED AS A PARTICIPATING COMMUNITY OF "CITIES FOR CITIZENSHIP"; DEVELOP AND IMPLEMENT A PLAN TO LAUNCH AN INITIATIVE IN FISCAL YEAR 2015-2016 THAT WILL PROMOTE INCREASING THE NUMBER OF LEGAL PERMANENT RESIDENTS IN MIAMI-DADE COUNTY WHO APPLY FOR CITIZENSHIP; IDENTIFY AND UTILIZE LEGALLY AVAILABLE FUNDING SOURCES IN THE FISCAL YEAR 2014-2015 COUNTY BUDGET TO LAUNCH A PUBLICITY CAMPAIGN DURING "NATIONAL CITIZENSHIP MONTH" TO RAISE AWARENESS ABOUT THE INITIATIVE; SUBMIT A STATUS REPORT

Adopted as amended
Resolution R-595-15
Mover: Daniella Levine Cava
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Ms. Francesca Menes, 16851 NE 23 Avenue, North Miami Beach, representing the Florida Immigrant Coalition, appeared before the Board in support for the foregoing proposed resolution. She indicated that naturalization clinics for permanent residents were held throughout the County, and that additional efforts were needed to help more than 494,000 eligible residents in this national initiative.*

Mr. Manuel Ernesto Gutierrez, 12310 SW 259 Street, Miami, appeared before the Board and spoke in support of the proposal, noting the benefits of being engaged citizens and a vested population. He said there were one half million legal permanent residents in Miami-Dade County who were eligible to become citizens. Mr. Gutierrez noted $3 billion projected economic growth over a five year period as a result of the foregoing proposal.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as amended to provide for the following changes:

1) The phrase "partnering with local organizations to host a total of 96 citizenships clinics that will be held countywide" in Section 2 on Handwritten Page 5 shall be replaced with the phrase "partnering with local organizations to assist with naturalization efforts countywide."

2) The phrase "providing in-kind services to host the citizenship clinics, to recruit, train, and assist both legal and non-legal volunteers, and to publicize the dates, times, and locations of the citizenship clinics" in Section 2 on Handwritten Page 5 shall be replaced with the phrase "providing in-kind services to promote naturalization efforts, including, but not limited to, hosting citizenship clinics; recruiting, training, and assisting both legal and non-legal volunteers; and publicizing the dates, times, and locations of citizenship clinics or other organized events."

3) The phrase "or other organized event" shall be added at the end of the phrase "or to their nearest and next available citizenship clinic" in Section 2 on Handwritten Page 5.

4) The phrase "The citizenship clinics will include" in Section 2 on Handwritten Page 5 shall be replaced with the phrase "The naturalization efforts can include."

11A5

151414 **Resolution** **Audrey M. Edmonson,**
Jose "Pepe" Diaz,
Barbara J. Jordan,
Rebeca Sosa

RESOLUTION APPROVING, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, AN EXCHANGE AGREEMENT WITH MAPTON HOLDINGS, LLC FOR THE CONVEYANCE TO AND PURCHASE BY THE COUNTY OF TWO PARCELS OF LAND TOTALING APPROXIMATELY 15,715 SQUARE FEET AND LOCATED AT 2153 NW 2ND AVENUE AND 2145 NW 2ND AVENUE ALONG WITH IMPROVEMENTS TO BE BUILT FOR THE COUNTY THEREON AT A COST TO THE DEVELOPER OF NO LESS THAN $7,374,000.00, IN EXCHANGE FOR THE CONVEYANCE TO MAPTON HOLDINGS, LLC OF FOUR PARCELS OF VACANT LAND TOTALING APPROXIMATELY 60,560 SQUARE FEET AND LOCATED AT 270 NW 23RD STREET, 251 NW 22ND LANE, 205 NW 22ND LANE, AND 2268 NW 2ND AVENUE AND THE PURCHASE PRICE OF $2,500,000.00 TO BE FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION FUND PROJECT NO. 324 – PUERTO RICAN COMMUNITY CENTER, SUBJECT TO SATISFACTION OF CONDITIONS; DECLARING FOUR COUNTY PARCELS SURPLUS, WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY PLANNING ADVISORY BOARD, AND AUTHORIZING CHAIRPERSON OR VICE-CHAIRPERSON OF THIS BOARD TO EXECUTE COUNTY DEED; DIRECTING COUNTY MAYOR OR DESIGNEE TO EXECUTE EXCHANGE AGREEMENT; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE CERTAIN DELEGATED AUTHORITY AND ALL PROVISIONS CONTAINED IN EXCHANGE AGREEMENT, AND TO COMPLETE ALL ACTS NECESSARY TO EFFECTUATE THE EXCHANGE OF PROPERTIES [SEE ORIGINAL ITEM UNDER FILE NO. 151326] ***Amended***

Report: *Note: See Agenda Item No. 11A5 AMENDED, Legislative File No. 151577 for the amended version.*

6/11/2015 2F Substitute *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

11A5 AMENDED

151577 **Resolution** **Audrey M. Edmonson, Rebeca Sosa**

RESOLUTION APPROVING, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, AN EXCHANGE AGREEMENT WITH MAPTON HOLDINGS, LLC FOR THE CONVEYANCE TO AND PURCHASE BY THE COUNTY OF TWO PARCELS OF LAND TOTALING APPROXIMATELY 15,715 SQUARE FEET AND LOCATED AT 2153 NW 2ND AVENUE AND 2145 NW 2ND AVENUE ALONG WITH IMPROVEMENTS TO BE BUILT FOR THE COUNTY THEREON AT A COST TO THE DEVELOPER OF NO LESS THAN $7,374,000.00, IN EXCHANGE FOR THE CONVEYANCE TO MAPTON HOLDINGS, LLC OF FOUR PARCELS OF VACANT LAND TOTALING APPROXIMATELY 60,560 SQUARE FEET AND LOCATED AT 270 NW 23RD STREET, 251 NW 22ND LANE, 205 NW 22ND LANE, AND 2268 NW 2ND AVENUE AND THE PURCHASE PRICE OF $2,500,000.00 TO BE FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION FUND PROJECT NO. 324 – PUERTO RICAN COMMUNITY CENTER, SUBJECT TO SATISFACTION OF CONDITIONS; DECLARING FOUR COUNTY PARCELS SURPLUS, WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY PLANNING ADVISORY BOARD, AND AUTHORIZING CHAIRPERSON OR VICE-CHAIRPERSON OF THIS BOARD TO EXECUTE COUNTY DEED; DIRECTING COUNTY MAYOR OR DESIGNEE TO EXECUTE EXCHANGE AGREEMENT; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE CERTAIN DELEGATED AUTHORITY AND ALL PROVISIONS CONTAINED IN EXCHANGE AGREEMENT, AND TO COMPLETE ALL ACTS NECESSARY TO EFFECTUATE THE EXCHANGE OF PROPERTIES [SEE ORIGINAL ITEMS UNDER FILE NOS. 151326, 151414]

Adopted as amended
Resolution R-525-15
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 12- 1
No: Monestime

Report: *Assistant County Attorney Monica Rizzo noted an amendment to the foregoing proposed resolution was distributed on the dais earlier today (6/30) at the request of Commissioner Edmonson; and read the amendment into the record.*

Commissioner Levine Cava inquired about the cost associated with the newly proposed amendment and whether or not the amendment would reduce the projected County revenue, and if so, would remediation costs be shared. She also inquired whether or not there were any environmental concerns.

Mr. Lee Solomon, Regulatory and Economic Resources Department, responded that there was no cost to the County and that a $4 million penalty was already built into the transaction in the event the developer violated the covenant and wanted to build greater than a single story. He commented that the cost associated with any environmental remediation issue would be deducted from the penalty and there were no direct County contribution.

In response to Commissioner Diaz's inquiry, Mr. Solomon reported that he was not aware of any issues with the property, noting the foregoing proposal would provide fairness to the process should an issue be identified on a County property.

Commissioner Diaz indicated he would present legislation to require the County provide the buyer with information pertaining to environmental issues. He said that any advance knowledge needed to be disclosed upfront before money was invested.

Mr. Solomon noted any cleanup costs performed by the developer on County property would be deducted from the penalty. He said the developer was currently performing Phase 1 and Phase 2 Environmental Studies based upon restrictions identified in the title search to determine whether or not there were environmental concerns, and if so, to what extent were those concerns.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as amended to provide for the following corrections to the Declaration of Restrictive Covenants:

1) To add the language "] and recorded in the public records of Miami-Dade County at ("Exchange Agreement"))" immediately following "and the County dated [ ])." on the first line of Handwritten Page 45.

2) To delete the word "or" immediately following "(a) thirty (30) years;" on the fourth line, Section 4 of Handwritten Page 45; and to add the language "or (d) pursuant to the terms of this Declaration." immediately following "residential building is demolished," on Line 6 of the same page.

3) To create a new Section 7, beginning with the language "It is further acknowledged ..." on Line 4 of Section 6 on Handwritten Page 45.

4) To add the language "("Height Limitation Liquidated Damages")." immediately following "liquidated damages of $4,013,494" on Line 3, first paragraph of Handwritten Page 46.

5) To delete the language "liquidated damages" immediately following "If Developer pays the County" on Line 7, first paragraph of Handwritten Page 48; to add the language "either directly or by way of set-off, the maximum amount of Height Limitation, Liquidated Damages of $4,013,494"

immediately following the previously added "liquidated damages" language; to add the word "total" immediately following "the County releases the Developer from the " on Line 8 of the same paragraph and to add the language "If Developer pays the County, either directly or by way of set-off, less than the maximum amount of Height Limitation Liquidated Damages, the County releases Developer form the Height Limitation only to the extent of payment or set-off as it equates to stories beyond the Height limitation and Developer remains subject to the balance of the Height Limitations as set forth herein." to the end of the same paragraph.

11A6

151285 **Resolution** **Audrey M. Edmonson**

RESOLUTION APPROVING MIAMI-DADE ECONOMIC ADVOCACY TRUST NOMINATING COUNCIL'S RECOMMENDATIONS FOR THE TRUST BOARD OF TRUSTEES; AND APPOINTING ELBERT WATERS, ALTHEA HARRIS, KATRINA WRIGHT, STEVE GALLON, III, BRIAN WILLIAMS, CHARLOTTE PITTMAN, KAREEM J. CONEY, RUBAN ROBERTS, MICHELLE LAPIANA, CRAIG EMMANUEL AND DR. LARRY CAPP AS BOARD OF TRUSTEES

Adopted
Resolution R-596-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 2B *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

11A6 SUPPLEMENT

151555 **Supplement**

SUPPLEMENTAL INFORMATION TO RESOLUTION APPROVING MIAMI-DADE ECONOMIC ADVOCACY TRUST NOMINATING COUNCIL'S RECOMMENDATION FOR THE TRUST BOARD OF TRUSTEES; AND APPOINTING ELBERT WATERS, ALTHEA HARRIS, KATRINA WRIGHT, STEVE GALLON, III, BRIAN WILLIAMS, CHARLOTTE PITTMAN, KAREEM J. CONEY, RUBAN ROBERTS, MICHELLE LA PIANA, CRAIG EMMANUEL AND DR. LARRY CAPP AS BOARD OF TRUSTEES (Clerk of the Board)

Presented
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11A7

151094 **Resolution** **Audrey M. Edmonson**

RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF THE MEMBERS PRESENT THE TERM LIMIT RESTRICTION FOR CITIZENS' INDEPENDENT TRANSPORTATION TRUST MEMBER DR. ANNA E. WARD; AUTHORIZING THE RE-APPOINTMENT OF DR. ANNA E. WARD TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST FOR ANOTHER TERM

Adopted
Resolution R-597-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 2B *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

11A7 SUPPLEMENT

151438 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF THE MEMBERS PRESENT THE TERM LIMIT RESTRICTION FOR CITIZENS' INDEPENDENT TRANSPORTATION TRUST MEMBER DR. ANNA E. WARD; AUTHORIZING THE RE-APPOINTMENT OF DR. ANNA E. WARD TO THE CITIZENS' INDEPENDENT TRUST FOR ANOTHER TERM (Clerk of the Board)

Presented

11A8

151460 **Resolution** **Audrey M. Edmonson**

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPLORE THE FEASIBILITY OF EXTENDING THE LIVES OF THE SOUTHEAST OVERTOWN PARK WEST COMMUNITY REDEVELOPMENT AGENCY AND OMNI COMMUNITY REDEVELOPMENT AGENCY AND TO PREPARE AND SUBMIT A REPORT WITHIN 90 DAYS [SEE ORIGINAL ITEM UNDER FILE NO. 151298]

Adopted
Resolution R-598-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 2C AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Prosperity Committee*

11A9

151301 **Resolution** **Audrey M. Edmonson, Daniella Levine Cava**

RESOLUTION AMENDING RESOLUTION NOS. R-1382-09 AND R-871-11 TO DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE WHEN NEGOTIATING AMENDMENTS TO EXISTING INTERLOCAL COOPERATION AGREEMENTS OR THE EXECUTION OF NEW INTERLOCAL COOPERATION AGREEMENTS WITH COMMUNITY REDEVELOPMENT AGENCIES, AND, IF APPLICABLE, MUNICIPALITIES OR OTHER TAXING AUTHORITIES, TO INCLUDE A PROVISION ALLOWING COUNTY COMMISSIONERS IN THE ALTERNATIVE TO APPOINT DESIGNEES TO SERVE AS COMMISSIONERS OF SUCH COMMUNITY REDEVELOPMENT AGENCIES PURSUANT TO SECTIONS 163.356 OR 163.357, FLORIDA STATUTES

Adopted
Resolution R-599-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/11/2015 2D *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

11A10

151381 **Resolution** **Sally A. Heyman,**
Barbara J. Jordan,
Jean Monestime

RESOLUTION APPROVING AMENDMENT TO IMPLEMENTING ORDER 2-12 RELATING TO MIAMI-DADE COUNTY DIVERSION PROGRAM TO INCLUDE VIOLATIONS OF SECTIONS 21-81(D)(1) THROUGH AND INCLUDING 21-81(D)(7) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL RIGHTS CONTAINED THEREIN (SEE ORIGINAL ITEM UNDER FILE NO. 151153) [SEE AGENDA ITEM NO. 7A] ***Amended***

Report: *Note: See Agenda Item No. 11A10 AMENDED, Legislative File No. 151576 for the amended version.*

6/10/2015 2A Substitute *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

11A10 AMENDED

151576 **Resolution** **Sally A. Heyman,**
Barbara J. Jordan

RESOLUTION APPROVING AMENDMENT TO IMPLEMENTING ORDER 2-12 RELATING TO MIAMI-DADE COUNTY DIVERSION PROGRAM TO INCLUDE VIOLATIONS OF SECTIONS 21-81(D)(1) THROUGH AND INCLUDING 21-81(D)(7) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL RIGHTS CONTAINED THEREIN (SEE ORIGINAL ITEM UNDER FILE NO. 151381) (SEE AGENDA ITEM NO. 151584)

Adopted as amended
Resolution R-526-15
Mover: Sally A. Heyman
Seconder: Barbara J. Jordan
Vote: 9- 3
No: Sosa, Souto, Bovo, Jr.
Absent: Suarez

Report: *Chairman Monestime opened the meeting to public comment on the foregoing proposed resolution; and seeing no one appearing wishing to be heard, closed the public hearing.*

Assistant County Attorney Christopher Angell read amendments to the foregoing proposed resolution into the record.

It was moved by Commissioner Heyman that the foregoing proposed resolution be adopted as amended to add the language "Regardless of whether Option 1 or Option 2 above are selected, anyone receiving a civil violation notice for a violation of 21-81 (d) (6) for Possession of Cannabis and/or 21-81 (d)(7) for Possession of Drug Paraphernalia shall also be provided information concerning substance abuse assessment programs and substance abuse treatment programs. This information will be provided by the Diversion Program." immediately following the last paragraph of the Section entitled "Option 2 (Community Service in lieu of any payment)" on Handwritten Page 8. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 8-5 (Commissioners Bovo, Diaz, Sosa, Souto and Zapata voted "No").

Following a motion by Commissioner Diaz and a second by Commissioner Sosa, the foregoing motion was subsequently reconsidered to clarify the amended language.

Assistant County Attorney Angell clarified that the amended language read into the record was different from the version previously distributed at the request of Commissioner Jordan.

Commissioner Jordan reported that the original amendment distributed would have been costly to the County.

Commissioner Zapata noted the revised amendment removed the language "shall also participate" from the original version and provided information on the diversion program.

Commissioner Jordan clarified that the provisions were in addition to paying the fines and that information on drug treatment programs would be provided upon the being issued the first citation.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as amended, to add the language "Regardless of whether Option 1 or Option 2 above are selected, anyone receiving a civil violation notice for a violation of 21-81 (d) (6) for Possession of Cannabis and/or 21-81 (d) (7) for Possession of Drug Paraphernalia shall also be provided information concerning substance abuse assessment programs and substance abuse treatment programs. This information will be provided by the Diversion Program." immediately following the last paragraph of the Section entitled "Option 2 (Community Service in lieu of any payment)" on Handwritten Page 8.

Following the vote, Commissioner Diaz inquired whether or not Commissioner Heyman would be introducing additional legislation to which Commissioner Heyman reported there was already a provision for collecting data, a policy for setting recidivism with the Florida Chiefs, and there was an established diversion program.

Commissioner Diaz said he would convene a Sunshine meeting to further

discuss his concerns regarding this proposal.

11A11

151287 **Resolution** **Dennis C. Moss**

RESOLUTION AMENDING RESOLUTION NO. R-749-11 TO EXEMPT TWO UNITS OF THE TOTAL 220 UNITS FROM THE AFFORDABILITY REQUIREMENTS IN THE GRANT AND RENTAL REGULATORY AGREEMENTS, ALL IN CONNECTION WITH A $2,000,000.00 GRANT FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 - "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" FOR VILLA CAPRI, AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO MAKE THE NECESSARY AMENDMENTS TO THE RENTAL REGULATORY AGREEMENT

Adopted
Resolution R-600-15
Mover: Sally A. Heyman
Seconder: Bruno A. Barreiro
Vote: 12- 0
Absent: Diaz

6/11/2015 2H *Forwarded to BCC with a favorable recommendation from the Economic Prosperity Committee*

11A12

151108 **Resolution** **Dennis C. Moss**

RESOLUTION APPROVING THE JOINT USE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FOR AN INITIAL TERM OF FIVE YEARS TO COMMENCE WITH THE NEW FISCAL YEAR ON OCTOBER 1, 2015 AND TWO RENEWAL TERMS OF FIVE YEARS EACH, ALL FOR A RENT PAYMENT BY THE COUNTY TO THE SCHOOL BOARD OF $1.00 PER YEAR; DIRECTING THE COUNTY MAYOR OR DESIGNEE TO IDENTIFY FUNDING SOURCE TO PAY FOR THE COUNTY'S OBLIGATIONS UNDER THE AGREEMENT AND TO INCLUDE SAME WITHIN THE PARKS, RECREATION, AND OPEN SPACES DEPARTMENT'S BUDGET FOR FISCAL YEAR 2015-16 AND THE DURATION OF THE AGREEMENT, AND TO EXECUTE THE AGREEMENT AND EXERCISE THE PROVISIONS THEREIN, EXCEPT THE PROVISION FOR CANCELLATION FOR CONVENIENCE

Adopted
Resolution R-601-15
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

6/9/2015 2A *Forwarded to BCC with a favorable recommendation from the Strategic Planning & Government Operations Cmte*

11A13

151389 **Resolution** **Rebeca Sosa, Daniella Levine Cava**

RESOLUTION ESTABLISHING COUNTY POLICY TO IMPLEMENT ADDITIONAL MIAMI-DADE POLICE DEPARTMENT RECRUITING CLASSES, AS AND WHEN NECESSARY, TO OFFSET THE ANTICIPATED LOSS OF OFFICERS DUE TO RETIREMENT OR ENROLLMENT IN THE DEFERRED RETIREMENT OPTION PROGRAM; AND DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A REPORT TO THIS BOARD REGARDING A PLAN FOR IMPLEMENTATION OF THIS POLICY AND TO INCLUDE THE PLAN FOR IMPLEMENTATION OF THE POLICY AS PART OF THE COUNTY BUDGET COMMENCING FISCAL YEAR 2015-16 [SEE ORIGINAL ITEM UNDER FILE NO. 150994]

Adopted
Resolution R-602-15
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

6/10/2015 2B Substitute *Forwarded to BCC without a recommendation from the Metropolitan Services Committee*

11A14

151092 **Resolution** **Sen. Javier D. Souto**

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROVIDE A WRITTEN REPORT TO THE BOARD WITHIN 45 DAYS REGARDING THE STATUS AND PROGRESS OF THE ADOPT-A-PARK PROGRAM OVER THE PAST FIVE YEARS

Adopted
Resolution R-603-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 2A *Forwarded to BCC with a favorable recommendation from the Unincorporated Municipal Service Area (UMSA) Cmte*

11A15

151152 **Resolution** **Sen. Javier D. Souto**

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO MAINTAIN COUNTY VEHICLES AND HEAVY EQUIPMENT USED IN PUBLIC AREAS OF MIAMI-DADE COUNTY PARKS WITHIN BUDGETED FUNDS IN A MANNER THAT DOES NOT DETRACT FROM THE SCENIC BEAUTY OF THE COUNTY'S PARKS; DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A REPORT TO THE BOARD ON THE STATUS OF THE IMPLEMENTATION OF THE BOARD'S DIRECTIVE TO ADEQUATELY MAINTAIN COUNTY VEHICLES AND EQUIPMENT USED IN PUBLIC AREAS OF MIAMI-DADE COUNTY PARK

Adopted
Resolution R-604-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 2C *Forwarded to BCC with a favorable recommendation from the Unincorporated Municipal Service Area (UMSA) Cmte*

11A16

151466 **Resolution** **Sen. Javier D. Souto**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO ORGANIZE A CHARRETTE AND FACILITATE THE PREPARATION OF A CHARRETTE REPORT FOR HORSE COUNTRY AND PLACE THE COMPLETED REPORT ON AN AGENDA OF THIS BOARD [SEE ORIGINAL ITEM UNDER FILE NO. 151155]

Adopted
Resolution R-605-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 2D AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Unincorporated Municipal Service Area (UMSA) Cmte*

11A17

151091 **Resolution** **Sen. Javier D. Souto, Esteban L. Bovo, Jr., Jose "Pepe" Diaz, Audrey M. Edmonson, Rebeca Sosa**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT A REPORT EXAMINING THE FEASIBILITY OF USING LAND OWNED, USED OR CONTROLLED BY THE COUNTY FOR MASS TRANSIT PROJECTS AND URGING THE COUNTY MAYOR TO CONSIDER THE FEASIBILITY OF MASS TRANSIT PROJECTS BEFORE FUTURE ACQUISITIONS, USES, SALES, OR DEDICATIONS OF SUCH LAND FOR OTHER USES

Adopted
Resolution R-606-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 2C *Forwarded to BCC with a favorable recommendation from the Transit and Mobility Services Committee*

11A18

151449 **Resolution** **Sen. Javier D. Souto, Audrey M. Edmonson**

RESOLUTION DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO ESTABLISH A SPECIALIZED WASTE CLEANUP UNIT TO SERVE THE UNINCORPORATED MUNICIPAL SERVICE AREA IN ORDER TO PRIORITIZE AND DEDICATE ADDITIONAL RESOURCES TO BULKY WASTE COLLECTION, ILLEGAL DUMPING, AND GRAFFITI REMOVAL IN THIS AREA USING LEGALLY AVAILABLE FUNDS AND IF SUCH FUNDS ARE NOT AVAILABLE, DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO INCLUDE A PLAN FOR IMPLEMENTATION OF THE SPECIALIZED WASTE CLEANUP UNIT AS PART OF THE FISCAL YEAR 2015-2016 COUNTY BUDGET; ESTABLISHING DUTIES OF THE SPECIALIZED WASTE CLEANUP UNIT AND DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO SUBMIT A STATUS REPORT ON SUCH EFFORTS AND ANY RELEVANT FUNDING NEEDS [SEE ORIGINAL ITEM UNDER FILE NO. 151157]

Adopted
Resolution R-607-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/9/2015 2E AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Unincorporated Municipal Service Area (UMSA) Cmte*

11A19

151461 **Resolution** **Sen. Javier D. Souto**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO PROVIDE A REPORT IDENTIFYING THE NUMBER OF MULTI-AXLE VEHICLES AND TRAILERS REGISTERED IN MIAMI-DADE COUNTY, THE IMPACT ON TRAFFIC PATTERNS AND COUNTY ROAD SURFACES CAUSED BY SUCH VEHICLES, AND THE AMOUNT OF TAXES PAID, IF ANY, BY REGISTERED MULTI-AXLE VEHICLE OWNERS [SEE ORIGINAL ITEM UNDER FILE NO. 151194]

Adopted
Resolution R-608-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 2D AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit and Mobility Services Committee*

11A20

151447 **Resolution** **Sen. Javier D. Souto,**
Audrey M. Edmonson,
Sally A. Heyman,
Rebeca Sosa

RESOLUTION AFFIRMING MIAMI-DADE COUNTY'S SUPPORT OF PROVIDING OPPORTUNITIES FOR ITS RESIDENTS TO LEARN AND IMPROVE SPANISH, CREOLE AND ENGLISH LANGUAGES AT NO COST TO SUCH RESIDENTS; AUTHORIZING THE USE OF SPACE AT THE COUNTY'S FOUR REGIONAL LIBRARY BRANCHES TO HOLD AT LEAST WEEKLY CLASSES FOR TEACHING SUCH SPANISH, CREOLE AND ENGLISH CLASSES IN THE EVENING HOURS CONSISTENT WITH EXISTING LIBRARY HOURS; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK VOLUNTEERS AND TO WORK WITH ALL UNIVERSITIES AND COLLEGES IN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM TO PROVIDE INSTRUCTORS FOR SUCH CLASSES AT NO COST TO THE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 151151] *Amended*

Report: *Note: See Agenda Item No. 11A20 AMENDED, Legislative File No. 151701 for the amended version.*

6/9/2015 2B AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Unincorporated Municipal Service Area (UMSA) Cmte*

11A20 AMENDED

151701 **Resolution** **Sen. Javier D. Souto, Audrey M. Edmonson, Sally A. Heyman, Rebeca Sosa**

RESOLUTION AFFIRMING MIAMI-DADE COUNTY'S SUPPORT OF PROVIDING OPPORTUNITIES FOR ITS RESIDENTS TO LEARN AND IMPROVE SPANISH, CREOLE AND ENGLISH LANGUAGES AT NO COST TO SUCH RESIDENTS; AUTHORIZING THE USE OF SPACE AT ALL THE COUNTY'S REGIONAL AND SUB-REGIONAL LIBRARY BRANCHES TO HOLD AT LEAST WEEKLY CLASSES FOR TEACHING SUCH SPANISH, CREOLE AND ENGLISH CLASSES IN THE EVENING HOURS CONSISTENT WITH EXISTING LIBRARY HOURS; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK VOLUNTEERS AND TO WORK WITH ALL UNIVERSITIES AND COLLEGES IN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM TO PROVIDE INSTRUCTORS FOR SUCH CLASSES AT NO COST TO THE COUNTY [SEE ORIGINAL ITEMS UNDER FILE NOS. 151151, 151447]

Adopted as amended
Resolution R-609-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *The foregoing proposed resolution was adopted, as amended, to replace the first sentence of Section 3 on Handwritten Page 4 with the following language: "This Board directs the County Mayor or the County Mayor's designee to make space available at all regional and sub-regional library branches (the West Dade, West Kendall, South Dade, North Dade, and Miami Beach regional branches and the Coral Gables and Northeast Dade-Aventura sub-regional branches) after 5:00 p.m. on weekdays at least once per week for at least one hour per session, but within such libraries' normal operating hours, with such classes to be offered on different days at each of the regional and sub-regional libraries so as to maximize the availability of such classes".*

11A21

151286 **Resolution** **Xavier L. Suarez**

RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF MEMBERS PRESENT THE TERM LIMIT RESTRICTION FOR MIAMI-DADE COUNTY YOUTH COMMISSION MEMBER GIA CASTILLO; AND AUTHORIZING REAPPOINTMENT FOR ADDITIONAL TERM

Adopted
Resolution R-610-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

6/10/2015 2C *Forwarded to BCC with a favorable recommendation from the Metropolitan Services Committee*

11A21 SUPPLEMENT

151457 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF MEMBERS PRESENT THE TERM LIMIT RESTRICTION FOR MIAMI-DADE COUNTY YOUTH COMMISSION MEMBER GIA CASTILLO; AND AUTHORIZING REAPPOINTMENT FOR ADDITIONAL TERM (Clerk of the Board) ***Presented***

11A22

151297 **Resolution** **Juan C. Zapata**

RESOLUTION ESTABLISHING POLICY REQUIRING, SOLELY AT THE COST OF A COMMUNITY REDEVELOPMENT AGENCY, THE PREPARATION AND SUBMISSION OF AN UPDATED FINDING OF NECESSITY STUDY THAT DEMONSTRATES THAT SLUM OR BLIGHT STILL EXISTS WITHIN A DESIGNATED COMMUNITY REDEVELOPMENT AREA WHENEVER A COMMUNITY REDEVELOPMENT AGENCY SEEKS APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS TO EXTEND THE LIFE OF SUCH COMMUNITY REDEVELOPMENT AGENCY AND THE COMMUNITY REDEVELOPMENT AREA ***Amended***

Report: *Note: See Agneda Item No. 11A22 AMENDED, Legislative File No. 151694 for the amended version.*

6/11/2015 2I *Forwarded to BCC without a recommendation from the Economic Prosperity Committee*

11A22 AMENDED

151694 **Resolution** **Juan C. Zapata**

RESOLUTION ESTABLISHING POLICY REQUIRING, SOLELY AT THE COST OF A COMMUNITY REDEVELOPMENT AGENCY, THE PREPARATION AND SUBMISSION OF AN ASSESSMENT OF NEED STUDY THAT DEMONSTRATES THAT SLUM OR BLIGHT STILL EXISTS WITHIN A DESIGNATED COMMUNITY REDEVELOPMENT AREA WHENEVER A COMMUNITY REDEVELOPMENT AGENCY SEEKS APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS TO EXTEND THE LIFE OF SUCH COMMUNITY REDEVELOPMENT AGENCY AND THE COMMUNITY REDEVELOPMENT AREA; AND DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A REPORT RELATED TO THE CRITERIA FOR AN ASSESSMENT OF NEED STUDY [SEE ORIGINAL ITEM UNDER FILE NO. 151297]

Adopted as amended
Resolution R-611-15
Mover: Juan C. Zapata
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Assistant County Attorney Terrence Smith read amendments to the foregoing proposed resolution into the record on behalf of Commissioner Zapata.*

In response to Commissioner Jordan's inquiry regarding the average cost associated with the assessment of need versus a finding of necessity, Commissioner Zapata responded that an assessment of need was not conducted; however, noted the finding of necessity study was a lower threshold than the assessment of need study. He noted the 79th Street Community Redevelopment Agency (CRA) necessity study cost $28,000; the Naranja CRA study cost $28,000 and the Metro Zoo CRA study cost $39,000. Commissioner Zapata projected this study would cost less. He said the Board needed to ensure there was still slum and blight areas within the CRA before extending the life of the CRA and funds be used for other priorities when necessary.

Commissioner Jordan questioned the number of CRA's within the County and the number of extensions granted within the last couple of years.

Mr. Jorge Fernandez, Coordinator, Office of Management and Budget, responded that approximately four extensions were previously granted. He noted he believed the City of North Miami would be requesting an extension in the near future.

Chairman Monestime requested that Commissioner Zapata accept a friendly amendment to include CRA's that were older than ten years.

Commissioner Diaz noted the need to thoroughly analyze whether or not a CRA's met the threshold and needed additional help.

Commissioner Edmonson stated that she did not believe Commissioner Jordan's question about the cost of the assessment of need was addressed, as well as the difference between the two reports.

Mr. Fernandez responded that he would need to obtain cost information from a consultant for the proposed work.

Assistant County Attorney Smith indicated that the finding of necessity study was not defined by Statute; however, the Statute did define what the findings would look like. He indicated that Statute No. 163.355 detailed the items contributing to slum or blight, and necessity of establishing a CRA. Assistant County Attorney Smith clarified that Commissioner Zapata was suggesting that the term finding of necessity should be called assessment of need.

Commissioner Levine Cava questioned whether or not the renewal could be accomplished with not as much time, energy or expense.

Commissioner Edmonson stated that the CRA may not be able to afford another finding of necessity, and inquired whether or not any other options to reduce costs existed.

Assistant County Attorney Smith responded that a finding of necessity had already been completed, so the required work would provide an update on the CRA's operations, access the needs of the CRA and the area, and would not be as extensive.

Commissioner Zapata pointed out that the only thing to be established was

that the conditions for still slum and blight still existed.

Commissioners Edmonson and Moss asked staff to develop specific criteria for an assessment of need to be approved by the Board.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as amended to 1) remove the language "updated finding of necessity" and insert "assessment of needs" to Line 2, in the second WHEREAS Clause on Handwritten Page 7 and to make the same change to Line 2, Section 2 of the NOW, THEREFORE, Clause on the same page; 2) to add the definition "For purposes of this Resolution, the term assessment of needs study is defined as a study developed by an independent consultant that assesses whether slum or blight still exists in a community redevelopment area, assesses the needs of the residents residing in and businesses located within a community redevelopment area and addresses the needs and priorities of the community redevelopment area and the community redevelopment agency and addresses the steps needed to be taken by the community redevelopment agency to remove slum or blight from the community redevelopment area"; 3) to remove the language "finding of necessity" and insert "assessment of needs" to the last line of the same paragraph; 4) to add the language "Notwithstanding the foregoing requirements set forth herein, this Board hereby exempts those community redevelopment agencies which have existed for ten years or less from the requirements of this resolution" to the end of Section 2, Handwritten Page 7; and to direct the County Mayor or the County Mayor's designee to provide a report to the Board setting forth the criteria for the assessment of need study within 60 days of the effective date of the resolution.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

11A23

151359 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION URGING CONGRESS TO ENACT THE FAIR AND TRANSPARENT STAKEHOLDER INVOLVEMENT FEE ACT, H.R. 1091, OR SIMILAR LEGISLATION, WHICH REQUIRES THE UNITED STATES SECRETARY OF AGRICULTURE TO USE NEGOTIATED RULEMAKING TO DEVELOP A REASONABLE RULE REGARDING AGRICULTURE QUARANTINE INSPECTIONS AND FEES

Adopted
Resolution R-612-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11A24

151454 **Resolution** **Dennis C. Moss, Audrey M. Edmonson**

RESOLUTION URGING CONGRESS TO ENFORCE THE REQUIREMENT THAT EMPLOYMENT OF AN H-1B EMPLOYEE WILL NOT ADVERSELY AFFECT THE WAGES AND WORKING CONDITIONS OF SIMILARLY EMPLOYED UNITED STATES EMPLOYEES

Adopted
Resolution R-613-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11A25

151357 **Resolution** **Rebeca Sosa, Daniella Levine Cava, Sally A. Heyman**

RESOLUTION SUPPORTING THE RECENT PLEDGE BY THE UNITED STATES TO CUT GREENHOUSE GAS EMISSIONS BY UP TO 28 PERCENT OVER THE NEXT DECADE

Adopted
Resolution R-614-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11A26

151451 **Resolution** **Rebeca Sosa, Audrey M. Edmonson**

RESOLUTION SUPPORTING CONGRESSMAN CARLOS CURBELO'S AMENDMENT TO THE "STUDENT SUCCESS ACT," OR SIMILAR LEGISLATION THAT WOULD ALLOW STUDENTS WHO ARE ENGLISH LEARNERS ADEQUATE TIME TO LEARN THE ENGLISH LANGUAGE BEFORE THEIR TEST SCORES ARE INCLUDED IN SCHOOL AND TEACHER PROFICIENCY CALCULATIONS

Adopted
Resolution R-615-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11A27

151502 **Resolution** **Jean Monestime, Daniella Levine Cava**

RESOLUTION CONDEMNING THE DOMINICAN REPUBLIC'S IMPENDING MASS DEPORTATION OF HAITIAN IMMIGRANTS

Withdrawn

Report: *Note: See Agenda Item No. 11A27 SUBSTITUTE, Legislative File No. 151562.*

11A27 SUB

151562 **Resolution** **Jean Monestime**

RESOLUTION CONDEMNING THE DOMINICAN REPUBLIC'S IMPENDING MASS DEPORTATION OF HAITIAN IMMIGRANTS; AND URGING THE DOMINICAN REPUBLIC TO COMPLY WITH INTERNATIONAL HUMAN RIGHTS LAW, AND HALT ALL IMPENDING DEPORTATIONS (SEE ORIGINAL ITEM UNDER FILE NO. 151502)

Adopted
Resolution R-527-15
Mover: Dennis C. Moss
Seconder: Jean Monestime
Vote: 13- 0

Report: *First County Attorney Abigail Price Williams indicated a motion was in order to add the foregoing proposed resolution to the meeting agenda.*

It was moved by Commissioner Moss that the foregoing proposed resolution be added to today's (6/30) agenda. This motion was seconded by Commissioner Bovo, and upon being put to a vote passed by a vote of 13-0.

Dr. Pandwe Gibson, 667 NW 90 Street, Miami, appeared before the Board in connection with the foregoing proposed resolution and noted the need for stronger language relating to the Dominican Republic's deportation of Haitian nationals from its territory that would sanction tourism and commerce, similar to legislation enacted by the Mayor of New York City.

Ms. Francesca Menes, 16851 NE 23 Avenue, North Miami Beach, representing the Florida Immigrant Coalition, appeared before the Board in support of the foregoing proposed resolution.

Mr. Edward Shohat, 800 Brickell Avenue, Miami, Vice Chair, Miami-Dade County Community Relations Board (CRB), appeared before the Board and commented on the CRB's concern about the mass deportation of Haitians from the Dominican Republic.

Hearing no further comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

11A28

151503 **Resolution** **Jean Monestime,**
Daniella Levine Cava

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO REPORT TO THE BOARD REGARDING THE PAST, CURRENT, AND FUTURE MANAGEMENT OF SPECIAL TAXING DISTRICTS

Adopted
Resolution R-616-15
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

11A29

151570 **Resolution** **Rebeca Sosa,**
Jose "Pepe" Diaz,
Juan C. Zapata

RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO INCLUDE THE UNDERLINE, THE LUDLAM TRAIL, THE BISCAYNE-EVERGLADES GREENWAY AND BLACK CREEK TRAIL IN THE FLORIDA SHARED-USE NONMOTORIZED TRAIL NETWORK PROGRAM, AS WELL AS FUNDING FOR THESE TRAILS IN THE 2015-16 STATE FISCAL YEAR BUDGET

Adopted
Resolution R-617-15
Mover: Jose "Pepe" Diaz
Seconder: Daniella Levine Cava
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.*

Note: The foregoing proposed resolution was adopted on July 1, 2015.

11B ADDITIONAL BUDGET ALLOCATIONS

11B1

151646 **Report**

ALLOCATION OF (FY) 2014/15 OFFICE BUDGET FUNDS (DISTRICT 1)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocations were made from fiscal year (FY) 2014/15 District 1 Office Budget Funds as requested by Commissioner Jordan:*

$2,846 to Miami-Dade Parks Foundation (for District 1 community parks activity funds)
$3,000 to City of Miami Gardens (swimming program/learn to swim scholarships)
$2,000 to City of Opa-Locka (swimming program/learn to swim scholarships)

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B2

151647 **Report**

ALLOCATION OF (FY) 2014/15 OFFICE BUDGET FUNDS (DISTRICT 3)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocations were made from fiscal year (FY) 2014/15 District 3 Office Budget Funds as requested by Commissioner Edmonson:*

$3,000 to Nat's Catering (Re: Annual Senior's4th of July Event) Reimbursement of P-Card in the amount of $125.00 charged to Mr. Boneless, Inc., for BBQ Luncheon for residents affected by the fire at Brownsville Transit Village IV.

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B3

151648 **Report**

REIMBURSEMENT FROM COMMUNITY-BASED ORGANIZATION - OFFICE ACCOUNT FUNDS (DISTRICT 4)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocations were reimbursed from Community Based Organization – District 4 Office Account Funds as requested by Commissioner Heyman:*

$100 from Sunflower Society
$250 from North Miami Foundation
$100 from Women's Breast Health
$45 from The Children's Trust Champions for Children

For the record, Commissioner Heyman asked to be reimbursed $319.51 for expenses related to various District 4 Events.

Additionally, Commissioner Heyman asked to allocate a Scholar's Merit Award to Rosalia Montero from the District 4 Office Account in the amount of $900.00.

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B4

151649 **Report**

ALLOCATION OF (FY) 2014/15 OFFICE BUDGET FUNDS (DISTRICT 6)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocations were made from fiscal year (FY) 2014/15 District 6 Office Budget Funds as requested by Commissioner Sosa:*

$1,000 to Florida International University Foundation, Inc./Danny A. Pino Memorial Scholarship Endowment
$1,000 to Optimist Club of Miami Springs Florida, Inc.

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B5

151650 **Report**

ALLOCATION OF MIAMI OEN TICKET REVENUE FOR 2015 (DISTRICT 7)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *At the January 21, 2015, Miami-Dade County Board of County Commissioners' meeting, the Board adopted Resolution R-22-15, approving the Letter of Agreement between Miami-Dade County and the International Players Association, Inc., for the 2015 Miami Open Tennis Tournament. The County will accept a one-time cash payment from IPC of $102,000.00 for the 2015 Tournament in lieu of the courtside boxes, tickets and passes as noted within the current agreement.*

The funds of $102,000.00 received from IPC were divided equally among the 13 County Commission Districts, in an amount of $7,845.00 per Commission District. The funds were deposited by the Office of Management and Budget (OMB) into a separate account and OMB will manage the District allocations.

Commissioner Suarez asked that the Miami Open Tennis Tournament Funds (District 7) be allocated as follows:

$1,000 be allocated to the City of South Miami for the Murray Aquatic Center
$1,000 be allocated to the City of Miami for the Varrick Park Pool

For the record, Commissioner Suarez asked that these funds shall be used to defray entrance fees for children. Any surplus funds shall rollover to the following year's operation.

For the record, Commissioner Suarez motion for "Amend Resolution R-464-15 correcting the organization's name from Coconut Grove Collaborative to Collaborative Development Corporation, increasing the District 7 office allocation to $58,577.00 from $50,400.00, allocating $5,400 from the FY 2014/15 Office of Community Advocacy Office Funds, and authorizing the Mayor or his designee to execute all necessary agreements.

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B6

151651 **Report**

ALLOCATION OF (FY) 2014/15 OFFICE BUDGET FUNDS (DISTRICT 9)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocation was made from fiscal year (FY) 2014/15 District 9 Office Budget Funds as requested by Commissioner Moss:*

$500 to The National Association of The Bahamas (to support their Annual Scholarship Gala Event)

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B7

151652 **Report**

ALLOCATION OF MIAMI OPEN TICKET REVENUE FOR 2015 (DISTRICT 9)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *At the January 21, 2015, Miami-Dade County Board of County Commissioners' meeting, the Board adopted Resolution R-22-15, approving the Letter of Agreement between Miami-Dade County and the International Players Association, Inc., for the 2015 Miami Open Tennis Tournament. The County will accept a one-time cash payment from IPC of $102,000.00 for the 2015 Tournament in lieu of the courtside boxes, tickets and passes as noted within the current agreement.*

The funds of $102,000.00 received from IPC were divided equally among the 13 County Commission Districts, in an amount of $7,845.00 per Commission District. The funds were deposited by the Office of Management and Budget (OMB) into a separate account and OMB will manage the District allocations.

Commissioner Moss asked that the Miami Open Tennis Tournament Funds (District 9) be allocated as follows:

$1,000 to the Leisure City/Modello Optimist Club of Florida, Inc. (for payment to Miami Dade Xtreme Youth Football League to assist with the cost of refurbished helmets for the football players in the league)

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B8

151653 **Report**

ALLOCATION OF (FY) 2014/15 OFFICE BUDGET FUNDS (DISTRICT 12)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocation was made from fiscal year (FY) 2014/15 District 12 Office Budget Funds as requested by Commissioner Diaz:*

$550 to Greater Miami Chamber of Commerce

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B9

151654 **Report**

ALLOCATION OF MIAMI OPEN TICKET REVENUE FOR 2015 (DISTRICT 12)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *At the January 21, 2015, Miami-Dade County Board of County Commissioners' meeting, the Board adopted Resolution R-22-15, approving the Letter of Agreement between Miami-Dade County and the International Players Association, Inc., for the 2015 Miami Open Tennis Tournament. The County will accept a one-time cash payment from IPC of $102,000.00 for the 2015 Tournament in lieu of the courtside boxes, tickets and passes as noted within the current agreement.*

The funds of $102,000.00 received from IPC were divided equally among the 13 County Commission Districts, in an amount of $7,845.00 per Commission District. The funds were deposited by the Office of Management and Budget (OMB) into a separate account and OMB will manage the District allocations.

Commissioner Diaz asked that the Miami Open Tennis Tournament Funds (District 12) be allocated as follows:

$3,150 to Town of Medley
$3,000 to Village of Virginia Gardens
$1,695 to North Trail Park

Note: The foregoing proposed allocation was approved on July 1, 2015.

11B10

151655 **Report**

ALLOCATION OF (FY) 2014/15 OFFICE BUDGET FUNDS (DISTRICT 13)

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The following funding allocations were made from fiscal year (FY) 2014/15 District 13 Office Budget Funds as requested by Vice Chairman Bovo:*

$500 to the Florida International University Foundation, Inc.
$300 to Our Lady of the Lakes Catholic School

Note: The foregoing proposed allocation was approved on July 1, 2015.

11C REPORTS

12 COUNTY MAYOR

13 COUNTY ATTORNEY

14 ITEMS SUBJECT TO 4-DAY RULE

14A1

151531 **Resolution**

RESOLUTION RATIFYING THE ACTIONS OF THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE IN APPLYING FOR, RECEIVING, AND EXPENDING $324,500.00 IN GRANT FUNDS AWARDED BY, AND EXECUTING VARIOUS GRANT AGREEMENTS WITH, THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR LIFE SAVING PROGRAMS FOR ANIMALS AND TO REDUCE COMMUNITY PET OVERPOPULATION AND SHELTER INTAKE AND APPROVING TERMS AND CONDITIONS OF SUCH GRANT AGREEMENTS (Animal Services)

Adopted
Resolution R-618-15
Mover: Daniella Levine Cava
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.*

Note: The foregoing proposed resolution was adopted on July 1, 2015.

14A2

151529 **Ordinance** **Daniella Levine Cava,**
Sally A. Heyman,
Juan C. Zapata

ORDINANCE RELATING TO PROTECTION OF EMPLOYEES DISCLOSING SPECIFIED INFORMATION; AMENDING CHAPTER 2, ARTICLE IV, DIVISION 6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO EXPAND THE METHODS FOR MAKING PROTECTED DISCLOSURES AND FACILITATE DISCLOSURE OF INFORMATION TO THE INSPECTOR GENERAL; AMENDING PROVISIONS REGARDING REMEDIES AND THE REVIEW PROCESS OF THE COMMISSION ON ETHICS AND PUBLIC TRUST; PROVIDING FOR INVESTIGATIONS BY THE INSPECTOR GENERAL AND NOTICE OF STATE LAW CONFIDENTIALITY PROTECTIONS AND CONSEQUENCES OF PROVIDING FALSE INFORMATION PURSUANT TO THIS SECTION; AMENDING PROVISIONS REGARDING INVESTIGATIONS AND DETERMINATIONS BY THE ETHICS COMMISSION; PROVIDING FOR OUTREACH, INFORMATION AND TRAINING FOR COUNTY EMPLOYEES; DELETING AWARDS PROGRAM REMEDIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: August 25, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Strategic Planning & Government Operations Committee (SPGOC) on Tuesday, August 25, 2015 at 9:30 a.m.

14A3

151554 **Ordinance** **Barbara J. Jordan, Daniella Levine Cava, Sally A. Heyman**

ORDINANCE AMENDING CHAPTER 17, ARTICLE IX OF THE CODE OF MIAMI-DADE COUNTY RELATING TO THE WORKFORCE HOUSING DEVELOPMENT PROGRAM ADMINISTRATION; AMENDING DEFINITION OF THE TERMS "WORKFORCE HOUSING RENT" OR "WHU RENT"; SETTING MINIMUM AMOUNT OF COUNTY MORTGAGE; UPDATING INCORRECT CODE REFERENCE; UPDATING TERMINOLOGY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: July 14, 2015
Mover: Esteban L. Bovo, Jr.
Seconder: Jean Monestime
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

Following the vote, County Attorney Cuevas noted Chairman Monestime requested that the Board's Rules of Procedure be suspended so that the foregoing proposed ordinance be taken out of committee review and placed on the July 14, 2015 Board of County Commissioners meeting agenda.

It was moved by Commissioner Bovo that the foregoing proposed ordinance be scheduled for public hearing before the Board of County Commissiners on July 14, 2015, at 9:30 a.m. This motion was seconded by Chairman Monestime, and upon being put to a vote, passed by a vote of 13-0.

14A4

151522 **Ordinance** **Juan C. Zapata**

ORDINANCE GRANTING PETITION OF INTERLAKEN COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT" OR "PETITIONER") TO EXPAND THE BOUNDARY OF THE DISTRICT ESTABLISHED BY ORDINANCE NO. 11-101; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted on first reading
Public Hearing: July 14, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, July 14, 2015 at 9:30 a.m.

14A5

151560 **Ordinance** **Jose "Pepe" Diaz**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS FLAGLER STATION NORTH MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted on first reading
Public Hearing: September 1, 2015
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Board proceeded to vote on the foregoing proposed ordinance, as presented.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners (BCC) on Tuesday, September 1, 2015 at 9:30 a.m.

14A6

151477 **Resolution**

RESOLUTION AUTHORIZING THE DESIGNATED PURCHASE OF SERVICES FOR TRANSPORT, IMPOUNDMENT AND CARE OF LARGE ANIMALS IN ACCORDANCE WITH SECTION 2-8.1(B)(3) OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; TO APPROVE TERMS AND EXECUTION OF A RETROACTIVE AMENDMENT TO THE AGREEMENT WITH SOUTH FLORIDA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SFSPCA) IN ORDER TO PAY SFSPCA AN ADDITIONAL $75,000.00 FOR FY 14-15 FOR A TOTAL AMOUNT OF $175,000 IN FY 14-15; WAIVING RESOLUTION NO. R-130-06; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ALL RIGHTS CONFERRED WITHIN SUCH AMENDMENT (Animal Services)

Adopted
Resolution R-619-15
Mover: Dennis C. Moss
Seconder: Jean Monestime
Vote: 13- 0

Report: *First County Attorney Abigail Price Williams indicated a motion was in order to add the foregoing proposed resolution to the agenda.*

It was moved by Commissioner Moss that the foregoing proposed resolution be added to today's (6/30) agenda. This motion was seconded by Chairman Monestime, and upon being put to a vote passed by a vote of 13-0.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

14A7

151569 **Resolution** **Barbara J. Jordan, Daniella Levine Cava, Jose "Pepe" Diaz, Audrey M. Edmonson, Jean Monestime**

RESOLUTION CONDEMNING DONALD TRUMP'S RECENT RACIST AND DEROGATORY REMARKS ABOUT IMMIGRANTS

Adopted
Resolution R-620-15
Mover: Sally A. Heyman
Seconder: Barbara J. Jordan
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *NFirst County Attorney Abigail Price Williams indicated a motion was in order to add the foregoing proposed resolution to the agenda.*

It was moved by Commissioner Moss that the foregoing proposed resolution be added to today's (6/30) agenda. This motion was seconded by Chairman Monestime, and upon being put to a vote passed by a vote of 13-0.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed resolution, as presented.

Note: The foregoing proposed resolution was adopted on July 1, 2015.

15 CLERK OF THE BOARD

15B REPORTS

15B1

151429 **Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON JUNE 30, 2015 (Clerk of the Board)

Withdrawn
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

Report: *Note: See Agenda Item No. 15B1 SUBSTITUTE, Legislative File No. 151588.*

15B1 SUBSTITUTE

151588 **Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON JUNE 30, 2015

Accepted
Mover: Dennis C. Moss
Seconder: Jean Monestime
Vote: 13- 0

Report: *First County Attorney Abigail Price Williams indicated a motion was in order to add the foregoing report to the agenda.*

It was moved by Commissioner Moss that the foregoing report be added to today's (6/30) agenda. This motion was seconded by Chairman Monestime, and upon being put to a vote passed by a vote of 13-0.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing report, as presented.

15B2

151430 **Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD
NOVEMBER 19, 2014 (COMPREHENSIVE DEVELOPMENT MASTER PLAN)
MAY 21, 2015, ZONING (Clerk of the Board)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Diaz

15B3

151431 **Report**

RESOLUTION NO. 15-1312 OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, EXPRESSING THE TOWN OF MIAMI LAKES' SUPPORT OF MIAMI-DADE COUNTY COMMISSIONER ESTEBAN BOVO'S ACTIONS IN SUPPORT OF UBER AND LYFT; PROVIDING AUTHORIZATION TO TOWN OFFICIALS; DIRECTING THE CLERK TO PROVIDE A COPY OF THIS RESOLUTION TO THE VICE-CHAIR OF THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE (Clerk of the Board)

Deferred to no date certain
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 11- 0
Absent: Edmonson, Heyman

Report: *Chairman Monestime opened the floor to anyone wishing to adddress the Board in connection with the foregoing proposed report.*

Ms. Lyce Regis (phonetic), 18928 NW 63 Court Circle, Hialeah, appeared before the Board and urged the Board not to destroy the taxi industry by allowing Uber.

Mr. Frank Hernandez, 3111 NW 31 Street, Miami, appeared before the Board and noted the importance of regulations, background checks, inspections, and insurance, citing issues with Uber drivers across the country.

Mr. Roberto Fuentes, 927 NE 199 Street, North Miami Beach, appeared before the Board and pointed out that Uber was operating without regulations or permits, noting we should learn from the experience of others and not support illegal activities.

Mr. Diego Feliciano, President, South Florida Taxicab Association, 3111 NW 27 Avenue, Miami, appeared before the Board, noting taxicab drivers were asking to enforce existing regulations rather than let citizens ride in the cars operated illegally. He said that taxicab licenses were sold to drivers looking for a better future but were now being ignored. Mr. Feliciano pointed out that licenses were issued to protect the public; however, Uber was being allowed to operate with no licenses or background checks. He suggested the County buy back existing taxicab licenses and then figure out how to serve the public. Mr. Feliciano indicated that a workshop was promised which did not materialize.

In response to Commissioner Levine Cava's inquiry whether a workshop could be scheduled, Chairman Monestime responded that it would not be scheduled at this time.

Mr. Jack Joseph Russell, 9850 SW 80 Drive, Miami, appeared before the Board and stated he was not able to earn a living driving a taxicab after fifteen years as a result of industry reforms. He said it would be a disaster to the taxicab industry and the riding public if private cars were allowed to operate as legitimate medallion taxicabs and limousines, noting there were already too many taxicabs. Mr. Russell indicated that Uber and Lyft should be dispatched through legitimate cab companies whose cars were licensed, regulated, inspected and insured.

Mr. Morris Zaila, 2441 NE 201 Street, North Miami Beach, appeared before the Board in opposition to unregulated cars damaging the infrastructure of an existing business.

Chairman Monestime indicated that it appeared taxicab drivers were misled about the foregoing report. He said that there was no action item on the agenda, noting this was only a report of a Town of Miami Lakes resolution expressing their support for Commissioner Bovo's actions in support of Uber and Lyft.

Mr. Uri Frank, 18101 Collins Avenue, 1502, Sunny Isles Beach, appeared before the Board and indicated that he was associated with Central Cab for thirty five years and described the costs paid by drivers associated with their services, noting it exceeded the fares collected by Uber.

Mr. Rudy Gonzalez, Owner, USA Taxi, 3620 NW 24 Avenue, Miami, appeared before the Board and noted Uber was operating illegally and owed the

County $2 million. He stated it would be difficult to purchase new cars every three years when Uber was taking away up to forty percent of the business. Mr. Gonzalez stressed the need for driver background investigations, commercial insurance, and vehicle inspections.

Ms. Odalys Kardin, 6470 West 22 Court, Hialeah, appeared before the Board and noted the need for vehicle inspections. She said that Uber drivers were operating illegally and had no intention of paying the fines owed the County.

Ms. Manuella Adrian, 300 Bayview Drive, #1507, Sunny Isles Beach, appeared before the Board and stated that Uber was only an application on a smart phone serving as an alternative form of dispatch. She said they were operating by not following local law, noting legitimate taxi companies continued to pay permitting and licensing fees.

Ms. Mercedes Gonzalez, 4218 SW 9 Street, Miami, appeared before the Board, noting taxi drivers who had permits were suffering because of Uber and Lyft, whose drivers operated illegally. She said she wanted those illegal drivers to obtain fingerprints, records checks and insurance as did regulated drivers. Ms. Gonzalez commented that the promised workshop to solve the problem was never scheduled; noting taxicab medallions were purchased and were not free.

Mr. Shalom Hamami, 3701 N. Country Club Drive, #806, Aventura, appeared before the Board and asked that Uber be stopped from operating.

Mr. Niaz Mohammad, 17922 SW 145 Avenue, Miami, appeared before the Board and noted taxicab drivers were suffering because Uber had taken away their business and the County had done nothing to stop or regulate them.

Mr. Matthew Nieva (phonetic), 3115 27 Street, Miami, appeared before the Board and stated the Commission had done nothing to prevent Uber.

Mr. Jervais Francois (phonetic), 1315 NE 115 Street, North Miami, appeared before the Board in opposition to Uber.

Mr. Elby Alonso, 1835 NE Miami Gardens Drive, Miami, appeared before the Board and commented that competition was a good thing but a level playing field was needed. He voiced concern that these operations were illegal and drivers were being ticketed; however, they continued to provide services. Mr. Alonso asked the Commission to take action, noting the existing industry was being destroyed.

Commissioner Sosa stated this discussion was related to a report placed on the agenda by the Clerk of the Board that was initiated by the Town of Miami Lakes and not by the County. She said such items were normally presented as a letter to the Commission and questioned the reason that this report was included on the Agenda.

County Attorney Robert Cuevas reported that the Clerk of the Board had authority to put items on the agenda. He indicated that similar items were usually submitted by memorandum and that he did not know the rationale for placing the item on the agenda. County Attorney Cuevas noted the public had the right to reasonably be heard when there was a proposition before the Board and the Board's action was normally to accept a report placed on the agenda.

Commissioner Bovo inquired whether action on the report could be deferred until a workshop was held on the item.

County Attorney Cuevas responded that he believed the report could be deferred, noting this matter was a special situation inasmuch as the Clerk of the Board was initiating an item that the Board should not have to act upon.

It was moved by Commissioner Edmonson that the foregoing proposed report be deferred. This motion was seconded by Commissioner Bovo.

Chairman Monestime questioned whether the remaining speakers could be denied the opportunity to speak in the event the item was deferred.

County Attorney Cuevas responded that the option to hear additional speakers would be up to the Chairman in the event the item was deferred.

Chairman Monestime stated that the Board was not making a decision related to Uber or Lyft today (6/30).

Commissioner Sosa suggested the motion to defer also provided that the minutes for anyone addressing the Board today (6/30) be maintained and that those speakers not be allowed to do so again at the workshop.

County Attorney Cuevas reported that Chairman Monestime could accommodate Commissioner Sosa's request.

Commissioner Levine Cava inquired whether a date certain could be established on the deferral.

Chairman Monestime responded that the deferral was on a report and that an appropriate workshop could be scheduled related to an action item once presented to the Board.

Commissioner Moss requested the County Attorney provide an overview of State Statute on this type of item.

Chairman Monestime asked County Attorney Robert Cuevas to prepare appropriate legislation regarding the reasonable opportunity for the public to be heard as provided in Rule 6.06 as it pertains to the Clerk of the Board's agenda items on reports from municipalities and making this one of the County's ten top priorities for the next legislative session.

County Attorney Cuevas reported the Board could express its desire and amend the Board's Rules of Procedure as to the Clerk of the Board's ability to present similar items on the agenda. He pointed out that the State requirement allowing the public a reasonable opportunity to be heard begins once an item was placed on the agenda and that the Board had the prerogative to limit and control the public participation.

Chairman Monestime announced that anyone speaking today (6/30) would not speak at the future scheduled workshop.

Commissioner Diaz encouraged speakers to participate and be heard in the workshop, noting if they chose to speak today (6/30), they would not have another opportunity to do so at a later date.

Commissioner Jordan stated that the report was the Town of Miami Lakes

asking for permission to use alternative methods of transportation which could include Uber and that accepting the report was taking action and approving the request. She suggested that it was in the drivers' best interest to allow the Board to defer the item and fully participate in a workshop where drivers could speak and be heard.

It was subsequently moved by Commissioner Sosa that the foregoing proposed report be deferred and that anyone speaking today (6/30) would not speak at the future scheduled workshop. This motion was seconded by Commissioner Jordan, and upon being put to a vote passed by a vote of 10-0 (Commissioners Edmonson, Heyman and Levine Cava were absent).

Mr. Benny Tarich, 2315 Biscayne Bay Drive, North Miami, appeared before the Board and noted he was a part-owner of a medallion. He stated that Uber and Lyft were violating the law when the taxicab industry continued to follow the laws established by the County Commission, noting everyone should play by the same rules. Mr. Tarich said that stiff penalties should be imposed against Uber and Lyft, especially for pickups at the Airport and Seaport.

Ms. Soshana Nier (phonetic), 3670 N. Park Road, Hollywood, appeared before the Board and stated that alternative transportation drivers did not adhere to the same training standards that were required for taxi drivers.

Mr. Ari Nier (phonetic), 3670 N. Park Road, Hollywood, appeared before the Board and noted he was a taxicab driver and owner. He said taxi fares were standing; drivers were suffering and that he did not believe the taxi industry would survive until the workshop. Mr. Nier suggested using taxicab drivers as volunteers to help enforce the existing law and save the industry.

Mr. Louis D'Amaro (phonetic), Homestead, appeared before the Board and shared a personal story, noting taxicab drivers did their best to help the public.

15C COUNTY ADVISORY BOARD APPOINTMENTS

15C1

160513 **Report**

APPOINTMENT OF MS. LEAH BLUMFIELD TO THE MIAMI-DADE COUNTY COMMISSION FOR WOMEN

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The Board accepted the foregoing appointment of Ms. Leah Hutton Blumfield to the Miami-Dade County Commission for Women as read into the record by Commissioner Barreiro.*

Note: The foregoing proposed report was approved on July 1, 2015.

15C2

160514 **Report**

APPOINTMENT OF MR. JUAN DADVID CORDOBA TO THE HOMEOWNER INSURANCE TASK FORCE

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The Board accepted the foregoing appointment of Mr. Juan David Cordoba to the Homeowner Insurance Task Force as read into the record by Commissioner Suarez.*

Note: The foregoing proposed report was approved on July 1, 2015.

15C3

160515 **Report**

APPOINTMENT OF MS. DANIELLE IGLESIAS AND MR. AARON VALDEZ TO THE MIAMI-DADE YOUTH COMMISSION

Approved
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Sosa, Suarez, Souto, Bovo, Jr.

Report: *The Board accepted the foregoing appointment of Ms. Danielle Iglesias and Mr. Aaron Valdez to the Miami-Dade Youth Commission as read into the record by Commissioner Diaz.*

Note: The foregoing proposed report was approved on July 1, 2015.

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15D1

151269 **Nomination**

NOMINATIONS FOR APPOINTMENT TO THE MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE (SEE ORIGINAL UNDER FILE NO. 150921) (Clerk of the Board) ***Appointed***

Report: *Chairman Monestime announced the foregoing proposed nominations for appointment could not be deferred, pursuant to the Deputy Clerk of the Board.*

It was moved by Commissioner Heyman to adopt the ballot nominations for appointment to the Miami-Dade Court Capital Infrastructure Task Force. This motion was seconded by Commissioner Edmonson.

Deputy Clerk of the Board Christopher Agrippa reported that the ballot results were received; however, the vote tally needed to be revised because Commissioners who previously voted were currently absent.

Later in the meeting, it was announced by Mr. Agrippa that the following individuals received the highest votes:

- *Ms. Lourdes Reyes Abadin, Capital Financing, 6 votes;*
- *Ms. Maria Louisa Castellanos, Architecture, 7 votes; and*
- *Mr. Enrique "Rick" Crooks, Civil Engineering with a Focus on Infrastructure, 7 votes*

Mr. Agrippa noted that ballots were not issued for the following nominations because the specialty areas only received a single nomination for appointment:

- *Mr. William W. Riley, Jr., Community and Real Estate; and*
- *Mr. George Cuesta, Construction*

Mr. Agrippa indicated that following appointments were also made:

- *Ms. Sandy Lornigan was appointed by the Chief Circuit Judge; and*
- *Honorable Joseph P. Farina was appointed by Mayor Gimenez*

Mr. Agrippa reported that a vote to appoint a Chairperson and Vice Chairperson of the Miami-Dade Court Capital Infrastructure Task Force was needed. After further discussion, it was decided that Mr. Enrique "Rick" Crooks would serve as Chairperson of the Miami-Dade Court Capital Infrastructure Task Force; and the Honorable Joseph P. Farina would serve as its Vice Chairperson.

Hearing no further questions or comments, the Board proceeded to vote on the foregoing proposed nominations for appointment to the Miami-Dade Court Capital Infrastructure Task Force.

It was moved by Commissioner Zapata to adopt the foregoing proposed ballot results and selection of Chairperson and Vice-Chairperson of the Miami-Dade Court Capital Infrastructure Task Force. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 9-0; Commissioners Bovo, Sosa, Souto and Suarez were absent.

Note: The foregoing proposed nomination was adpointed on July 1, 2015.

6/2/2015 15D1 SUBSTITUTE — Deferred by the Board of County Commissioners

15D1 SUPPLEMENT

151308 **Supplement**

SUPPLEMENTAL INFORMATION RE: NOMINATIONS FOR APPOINTMENT TO THE MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE (SEE ORIGINAL UNDER FILE NO. 151042) (Clerk of the Board) ***Withdrawn***

Report: *Note: See Agenda Item No. 15D1 SUPPLEMENT SUBSTITUTE, Legislative File No. 151525.*

6/2/2015 15D1 SUBSTITUTE SUPPL *Deferred by the Board of County Commissioners*

15D1 SUPPL. SUBSTITUE

151525 **Supplement**

SUPPLEMENTAL INFORMATION TO BOARD APPOINTMENT - MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE (Clerk of the Board) ***Presented***

15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS

15F NON-AGENDA ITEMS

15F1

152037 **Report**

NON-AGENDA ITEM REPORT FOR THE JUNE 30, 2015, REGULAR BOARD' MEETING ***Presented***

Report: *Chairman Monestime announced the Office of the Chair was currently working on providing dinner for the Board.*

19 ADJOURNMENT

Report: *There being no further business to come before the Board, the meeting was adjourned at 1:44 a.m. of July 1, 2015.*

Jean Monestime, Chairman

ATTEST: HARVEY RUVIN, CLERK

By: Christopher Agrippa, Deputy Clerk

Board of County Commissioners'
REGULAR
June 30, 2015

Prepared by: Alan Eisenberg

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	6/30/15		Order Of The Day
2	6/30/15		Pull List
3	6/30/15		Co-Sponsorships List
4	6/30/15		Changes Sheet
5	6/30/15	1G1	Speaker's Cards
6	6/30/15	2B1	Mayor Carlos Gimenez' Report Re: Craigslist safe Haven – Directive 150527
7	6/30/15	2B2	Mayor Carlos Gimenez' Report Re: Miami-Dade Fire Rescue Vehicles – Directive 150739
8	6/30/15	2B3	Mayor Carlos Gimenez'Report Re: Response to Resolution No. R-231-15 Directing to Initiate Discussions with Insurance Company Representatives about Offering Incentive to Residential Pool Owners for Installing Pool Safety Equipment
9	6/30/15	2B4	Mayor Carlos Gimenez'Report Re: Aviation Department Overtime, Fringes and Contractual Services Expenditures
10	6/30/15	2B5	Monthly Status Report on Miami-Dade Water and Sewer Department's Infrastructure Projects – May 2015
11	6/30/15	3A9	Resolution approving alloations of FY 2014-15 Office of the Chair Budget funds and allocations of FY 2014-15 District 2 Office funds
12	6/30/15	4A	Ordinance amending Section 2-11.16 of the Code, clarifying that where not precluded by federal or state law or funding source, hourly wages to be paid on federally or state funded County construction contracts shall be the higher of Davis-Bacon Act rates or the rates under Section 2-11.16 of the Code
13	6/30/15	4D	Ordinance relating to zoning and signs; providing definitions and standards for illumination relating to signs; providing for digital signs; providing for digital billboards after public hearing; amending Sections 33-84, 33-96, 33-96.1 of the Code creating Section 33-96.2 of the Code

14	6/30/15	4D	Speaking notes from Mr. Nathan Kurland
15	6/30/15	4D	Speaker's Cards
16	6/30/15	5B SUPP	Supplement information on Resolution codesignating the traffic roundabout at the intersection of NE 199th Street and North Drive as "Father Peter Lickman Way"
17	6/30/15	5C SUPP	Resolution renaming "Richmond Triangle Park" as the "Richmond Heights Legacy Park"; renaming "Ben Shavis Park" as the "Ben Shavis Legacy Park"; renaming "Lincoln Estates Park" as the Lincoln Estates Legacy Park"; renaming "Naranja Lakes Park as the "Naranja Lakes Legacy Park"; directing the County Mayor to take all steps necessary to effectuate such name changes
18	6/30/15	5D SUPP	Resolution amending Resolution No. R-488-14 to revise the County Road codesignation, and urging the Florida Legislature to revise the State Road codesignation of portions of SW 152 Street from being "Larcenia Bullard Way" to being "Senator Larcenia J. Bullard Way"; amending Resolution No R-481-14 to approve State revisions; directing the Mayor to install appropriate signage on traffic signal mast arms and street signs pursuant to Resolution Nos. R-825-07 and R-159-07
19	6/30/15	5F	Ordinance approving and adopting Fiscal Year 2014-15 Mid-Year Supplemental Budget Adjustments and Amendments for various County departments and funds; ratifying and approving implementing orders and other Board actions which set fees, charges and assessments and providing for their amendment, appropriating grant, donation and contribution funds; and providing severability and an effective date
20	6/30/15	5G	Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Street Lighting Special Taxing Districts
21	6/30/15	5G SUPP	Supplemental Information Regarding Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Street Lighting Special Taxing Districts
22	6/30/15	5G, 5H, 5I, 5J	Mayor Carlos Gimenez' Memorandum Re: Information Regarding Four Ordinances Approving the Rate Setting Process for Special Taxing Districts
23	6/30/15	5G, 5H, 5I, 5J	Speaker's Cards
24	6/30/15	5H	Ordinance Approving, Adopting and Ratifying Special Assessment District Rates Remaining Flat for Street Lighting, Multipurpose Maintenance, Security Guard and Capital Improvements/Road Maintenance Special Taxing Districts
25	6/30/15	5H SUPP	Supplemental Information Regarding the Ordinance Approving, Adopting and Ratifying Special Assessment District Rates Remaining

			Flat for Street Lighting, Multipurpose Maintenance, Security Guard and Capital Improvements/Road Maintenance Special Taxing Districts
26	6/30/15	5H	Letter from Walt "Wastine Allen, President, Belle Meade Homeowners Association to Commissioner Audrey Edmonson Re: Belle Meade Homeowner Petitions in Opposition to Proposed 2015 Non-ad Valorem assessment for Security Guard Services
27	6/30/15	5H	Letter from Joachim Anderson Re: Notice of Proposed or Adopted Non-Ad Valorem Assessment
28	6/30/15	5H	Belle Meade Homeowners Association Members' Petitions Re: Special Taxing District Program Administration and Proposed Rate Increase
29	6/30/15	5I	Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Security Guard Special Taxing Districts
30	6/30/15	5I SUPP	Supplemental Information Regarding Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Security Guard Special Taxing Districts
31	6/30/15	5J	Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Multipurpose Maintenance Special Taxing Districts
32	6/30/15	5J SUPP	Supplemental Information Regarding Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Multipurpose Maintenance Special Taxing Districts
33	6/30/15	5P	Ordinance Creating and Establishing a Special Taxing District in Miami-Dade County, Florida, Known and Described as Doral Commons Residential and Doral Commons Commercial Multipurpose Maintenance and Street Lighting Special Taxing District
34	6/30/15	5T	Ordinance Revising Zoning and Other Land Development Regulations; Updating the Regulating Plans, Development Parameters, and Non-Conforming Use Provisions for the Model City Urban Center District
35	6/30/15	5T	Department of Regulatory and Economic Resources Staff Report
36	6/30/15	5T	Speaker's Cards
37	6/30/15	5Y	Bay Harbor Continental Presentation
38	6/30/15	5Y	Bay Harbor Continental Appeal Economic Impact
39	6/30/15	5Y	Bay Harbor Continental Presentation: Appeal of Miami-Dade County Historic Preservation Board's Designation
40	6/30/15	5Y	Tropic Florida Living & Design, April 2015; Article entitled "Uncovering McKirahan, A South Florida Supernova may – finally – be getting some recognition, Pages 18 - 25

41	6/30/15	5Y	Petitions Supporting the Historic Designation of the Bay Harbor Continental
42	6/30/15	5Y	A Resolution of the Town of Bay Harbor Islands, Florida, Supporting Bay Harbor Continental, Inc. in its Appeal of the April 15, 2015 Decision of the Miami-Dade County Historic Preservation Board to Designate the property as a Historic Site
43	6/30/15	5Y	Consent and Joinder in the Sale of the Cooperative Property Owned by Bay Harbor Continental, Inc. to P3 Investment I, LLC and Amendments to the By-Laws of Bay harbor Continental, Inc
44	6/30/15	5Y	Petitions Against the Historic Designation of the Bay Harbor Continental
45	6/30/15	5Y	Flyer entitled "Your Rights are at Risk"
46	6/30/15	5Y	Speaker's Cards
47	6/30/15	5Y	Letter from Mr. Keisen O. Kasdin, Akerman LLP, dated May 5, 2015, Re: Appeal of Miami-Dade County Historic Preservation Board Resolution No. 2015-06 dated April 15, 2015, designating the Bay Harbor Continental (1135 103rd Street, Bay Harbor Islands, Florida) and related exhibits
48	6/30/15	5Y	Audio files of Historic Preservation meetings
49	6/30/15	5Y	Letter from Ms. Nicole A. Milson, Esq., dated June 12. 2015, Re: opposition of the Bay Harbor Continental building being designated as a historic site and related exhibits
50	6/30/15	7A	Ordinance related to civil penalties for certain misdemeanor violations; amending sections 21-81, 8CC-5.1 and 8CC-10 of the Code; providing for civil penalties for the commission of certain misdemeanors
51	6/30/15	7A	Summation from Commissioner Heyman Re: Miami-Dade County Uniform (Adult) Civil Citation II
52	6/30/15	7A	Community Relations Board Letter of Support for Civil Penalties
53	6/30/15	7A	Speaker's Cards
54	6/30/15	7B	Ordinance relating to Small Business Enterprise Program; creating Section 2-8.1.1.1.2 of the Code to create a Goods-Only Program based upon certification tiers, provide definitions and program criteria, require one year doing business in Miami-Dade County prior to certification, require quarterly reporting of contracts to certified firms by Public Health Trust, allow application for recertification after submittal of required documents, and contribution to economic development and well-being of Miami-Dade County
55	6/30/15	7B	Proposed Amendment submitted by Commissioner Edmonson

56	6/30/15	7B	Speaker's Cards
57	6/30/15	7C	Ordinance relating to Small Business Enterprise Program; amending Section 2-8.1.1.1.1 of the Code to delete the goods portion of the program in order to create a Services-Only Program based upon certification tiers using three year average gross revenues, provide Virtual Office definition, require one year doing business in Miami-Dade County prior to certification, require quarterly reporting of contracts to certified firms by Public Health Trust, allow application for recertification after submittal of required documents, and contribution to economic development and well-being of Miami-Dade County
58	6/30/15	8C1	Speaker's Cards
59	6/30/15	8F4	Letters of Support for 60-Foot Articulated Busses from the Village of Palmetto Bay and the Town of Cutler Bay
60	6/30/15	8F5	Resolution approving award of Contract No. FB-00151 for Purchase of T-Shirts for various County departments in a total amount not to exceed $1,608,000.00; and authorizing the County Mayor or County Mayor's designee to give notice of this award, issue the appropriate purchase order to give effect to same and exercise all provisions of the contract
61	6/30/15	8F5 SUPP	Supplement to Recommendation for Approval to Award T-Shirts
62	6/30/15	8G1	Resolution approving terms of Interlocal Agreement between Miami-Dade County and South Florida Regional Transportation Authority for the provision of financial support not to exceed $13,900,000.00 for the Tri-Rail Downtown Miami link station improvements at the Miami Central Station; authorizing County Mayor to execute same and exercise provisions contained therein; and authorizing the Use of Charter County Transportation Surtax funds for such purpose
63	6/30/15	8G1	Proposed Amendment submitted by Commissioner Barreiro
64	6/30/15	8G1	Tri-Rail Downtown Miami Link Presentation from the South Florida Regional Transportation Authority
65	6/30/15	8G1	Citizens' Independent Transportation Trust Letter Re: Tri-Rail Downtown Miami Link
66	6/30/15	8G1	Speaker's Cards
67	6/30/15	8K3	Speaker's Cards
68	6/30/15	10A1	Resolution approving amendment to the five-year Implementation Plan of the People's Transportation Plan to include the Quail Roost Park & Ride facility and the Tri-Rail Downtown Miami Link Central Station
69	6/30/15	10A1	Speaker's Cards

70	6/30/15	11A1	Resolution directing the County Mayor to consult with the Miami-Dade county Homeless Trust, the City of Miami and the Miami Downtown Development Authority to identify additional placement opportunities for homeless individuals and to consider the feasibility of implementing a portable bathroom program in the Downtown Miami area, and to prepare and submit a report
71	6/30/15	11A1	Camillus House & Health letter of support for expanding shelter capacity in Miami-Dade County
72	6/30/15	11A1	Measured Results for Successful placement / retention in permanent housing and return to homelessness
73	6/30/15	11A1	Miami River Commission's Recommendation for Approval
74	6/30/25	11A1	Downtown Neighbors Alliance Resolution
75	6/30/15	11A1	Speaker's Cards
76	6/30/15	11A1	Causes of Contemporary Homelessness And Meaningful Solutions to Its End – Sundari Foundation, Inc. dba Lotus House
77	6/30/15	11A1	Lotus House Brochure: Give A Gift of Life
78	6/30/15	11A1	Email From Mr. Eugene Walton and Mr. Thomas Porto
79	6/30/15	11A2	Resolution declaring surplus County-owned land located at 1280 NW 11th Street in the City of Miami, Florida, authorizing the conveyance of same to the River Landing Conservation Foundation, Inc. a Florida not-for-profit corporation
80	6/30/15	11A2	Proposed Amendments submitted by Commissioner Barreiro
81	6/30/15	11A2	River Landing Presentation
82	6/30/15	11A2	Miami River Commission's Recommendation for Approval
83	6/30/15	11A2	Speaker's Cards
84	6/30/15	11A2 SUPP	Supplemental information to Resolution declaring as surplus a County-owned property located at 1280 NW 11th Street in the City of Miami, Florida
85	6/30/15	11A4	Resolution directing the Mayor to apply for Miami-Dade County to be designated as a participating community of "Cities for Citizenship"; develop and implement a plan to launch an initiative in Fiscal Year 2015-16 that will promote increasing the number of legal permanent residents in Miami-Dade County who apply for citizenship; identify and utilize legally available funding sources in the Fiscal Year 2014-15 County Budget to launch a publicity campaign during "National Citizenship Month" to raise awareness about the initiative' submit a status report

86	6/30/15	11A4	Proposed Amendments submitted by Commissioner Levine Cava
87	6/30/15	11A4	Speaker's Cards
88	6/30/15	11A5	Resolution approving, pursuant to Section 125.37, Florida Statutes, an exchange agreement with Mapton Holdings, LLC for the conveyance to and purchase by the County of two parcels of land located at 2153 NW 2nd Avenue and 2145 NW 2nd Avenue along with improvements to be built for the County thereon at a cost to the developer of no less than $7,374,000.00, in exchange for the conveyance to Mapton Holdings, LLC of four vacant parcels of vacant land located at 270 NW 23rd Street, 251 NW 22nd Lane, 205 NW 22 Lane and 2268 NW 2nd Avenue and the purchase price of $2,500,000.00 to be funded from Building Better Communities General Obligation Fund Project No. 324 – Puerto Rican Community Center, subject to satisfaction of conditions.
89	6/30/15	11A5	Proposed Amendments submitted by Commissioner Edmonson
90	6/30/15	11A5	Speaker's Card
91	6/30/15	11A6 SUPP	Supplemental information to Resolution approving the Miami-Dade Economic Advocacy Trust Nominating Council's recommendations for the Trust Board of Trustees
92	6/30/15	11A7 SUPP	Supplemental information to Resolution waiving by a two-thirds vote of the members present the term limit restrictions for Citizens' Independent Transportation Trust member Dr. Anna E. Ward
93	6/30/15	11A10	Resolution approving amendment to Implementing Order 2-12 relating to Miami-Dade County Diversion Program to include violations of Sections 21-81(d)(1) through and including 21-81(d)(7) of the Code
94	6/30/15	11A10	Proposed Amendment submitted by Commissioner Jordan
95	6/30/15	11A20	Resolution affirming Miami-Dade County's support of providing opportunities for its residents to learn and improve Spanish, Creole and English languages at no cost for such residents; authorizing the use of space at the County's four regional library branches to hold at least weekly classes for teaching such Spanish, Creole and English classes in the evening hours consistent with existing library hours
96	6/30/15	11A20	Proposed Amendment submitted by Commissioner Heyman
97	6/30/15	11A20	Speaker's Card
98	6/30/15	11A21 SUPP	Supplemental information to Resolution waiving by a two-thirds vote of members present the term limit restrictions for Miami-Dade County Youth Commission Member Gia Castillo; and authorizing reappointment for additional term
99	6/30/15	11A22	Resolution establishing policy requiring, solely at the cost of a community redevelopment agency, the preparation and submission of an updated fining of necessity study that demonstrates that slum or

			blight still exists within a designated community redevelopment area whenever a community redevelopment agency seeks approval for the Board of County Commissioner to extend the life of such community redevelopment agency and the community redevelopment area
100	6/30/15	11A27	Resolution condemning the Dominican Republic's impending mass deportation of Haitian immigrants
101	6/30/15	11A27	Speaker's Card
102	6/30/15	11A28	Resolution directing the Mayor to report ot the Board regarding the past, current, and future management of special taxing districts
103	6/30/15	11B1	District 1 Sony Open Tennis Tournament Funds Allocations
104	6/30/15	11B2	District 2 Office Funds Allocations
105	6/30/15	11B3	District 4 Office Funds Allocations
106	6/30/15	11B4	District 6 Office Funds Allocations
107	6/30/15	11B5	District 7 Sony Open Tennis Tournament Funds Allocations
108	6/30/15	11B6	District 9 Office Funds Allocations
109	6/30/15	11B7	District 9 Sony Open Tennis Tournament Funds Allocation
110	6/30/15	11B8	District 12 Office Funs Allocations
111	6/30/15	11B9	District 9 Sony Open Tennis Tournament Funds Allocations
112	6/30/15	11B10	District 13 Office Budget Funds Allocations
113	6/30/15	15B1	Proposed Public Hearing Dates for Meeting of June 30, 2015
114	6/30/15	15B1 SUB	Agenda Item 15B1 Substitute
115	6/30/15	15B1 SUB	Substitute to Agenda Item 15B1
116	6/30/15	15B3	Resolution No. 15-1312 of the Town Council of the Town of Miami Lakes, Florida, expressing the Town of Miami Lakes' support of Miami-Dade County commissioner Esteban Bovo's actions in support of Uber and Lyft; providing authorization to Town Officials' directing the Clerk to provide a copy of this Resolution to the Vice-Chair of the Miami-Dade County Board of County Commissioners' providing for incorporation of recitals; and providing for an effective date
117	6/30/15	15D1	Advisory Board Ballot results for the Nominations for Appointment to the Miami-Dade Court Capital Infrastructure Task Force
118	6/30/15	15D1 SUPP	Supplemental information to the Nominations for Appointment to the Miami-Dade Court Capital Infrastructure Task Force

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

ORDER OF THE DAY

Tuesday, June 30th, 2015

8:30 am

Special Presentations

1D1 – SPECIAL PRESENATION OF SYMPATHY RESOLUTION FOR DR. PHILIP HAROLD MANN (Monestime)

1D2 – SPECIAL PRESENTATION TO PATRICIA BERDEAL-TEACHER OF THE YEAR FOR IMMACULATE CONCEPTION CATHOLIC SCHOOL (Bovo)

1D3 – SPECIAL PRESENATION OF A CERTIFICATE OF APPRECIATION TO DAYLIN GARCIA FOR PTA VOLUNTEER SERVICE (Bovo)

1D4 – PROCLAMATION TO THE GLENN CURTIS MANSION FOR ITS OUTSTANDING ACHIEVEMENT IN RESTORATION AND REHABILITATION AS RECOGNIZED BY THE FLORIDA TRUST FOR HISTORIC PRESERVATION (Sosa)

1D5 – SPECIAL PRESENTATION TO JUNE MAYOR'S SHINING SCHOLARS: MARIA MERCADO, WALEED MNEIMNEH AND DAVID MILLER (Mayor)

1D6 – SPECIAL PRESENTATION OF A PROCLAMATION DESIGNATING JULY AS PARKS AND RECREATION MONTH (Mayor)

1K1 – MIAMI-DADE COUNTY COMMISSION FOR WOMEN SCHOLARSHIP PRESENTATION BY CHAIRWOMAN MARA ZAPATA TO RECIPIENTS, SHAQUELL BALLOU AND MICHELLE RODRIGUEZ, GRADUATING SENIORS FROM THE YOUNG WOMEN'S PREPARATORY ACADEMY (Monestime)

9:30 am

Invocation

Roll Call

Pledge of Allegiance

Citizen's Presentation
EQUITABLE DEVELOPMENT AROUND MIAMI WORLD CENTER - SENATOR DWIGHT BULLARD

Setting of Agenda

Upon Conclusion of the Agenda

Adjournment

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

Tuesday, June 30th, 2015

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2B1	CRAIGSLIST SAFE HAVEN - DIRECTIVE 150527(Mayor) ***Commissioner: Heyman***
4D	ORDINANCE RELATING TO ZONING AND SIGNS; PROVIDING DEFINITIONS AND STANDARDS FOR ILLUMINATION RELATING TO SIGNS; PROVIDING FOR DIGITAL SIGNS; PROVIDING FOR DIGITAL BILLBOARDS AFTER PUBLIC HEARING; AMENDING SECTIONS 33-84, 33-96, 33-96.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 33-96.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE ***Commissioner: Levine Cava***
5F	ORDINANCE APPROVING AND ADOPTING FISCAL YEAR 2014-15 MID-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS AND AMENDMENTS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET FEES, CHARGES AND ASSESSMENTS AND PROVIDING FOR THEIR AMENDMENT; APPROPRIATING GRANT, DONATION AND CONTRIBUTION FUNDS; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 150952](Office of Management and Budget) ***Commissioner: Levine Cava***
5G	ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE STREET LIGHTING SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE(Public Works & Waste Management) ***Commissioner: Zapata***
5H	ORDINANCE APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT RATES FOR SPECIAL TAXING DISTRICTS, INCLUDING BUT NOT LIMITED TO, STREET LIGHTING, MULTIPURPOSE MAINTENANCE, SECURITY GUARD, AND CAPITAL IMPROVEMENTS/ROAD MAINTENANCE SPECIAL TAXING DISTRICTS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016, AND PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE(Public Works & Waste Management) ***Commissioner: Zapata***
5I	ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE SECURITY GUARD SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE(Public Works & Waste Management) ***Commissioner: Zapata***
5J	ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE(Public Works & Waste Management) ***Commissioner: Zapata***
7B	ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; CREATING SECTION 2-8.1.1.1.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE A GOODS-ONLY PROGRAM BASED UPON CERTIFICATION TIERS, PROVIDE DEFINITIONS AND PROGRAM CRITERIA, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE ***Commissioner: Zapata***

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7D	ORDINANCE RELATED TO APPROVAL OF THE COUNTY BUDGET, AMENDING SECTION 2-1795 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REVISE THE DUTIES OF THE COMMISSION AUDITOR AND THE ROLES AND TIMING OF COMMISSION COMMITTEES RELATED TO THE BUDGET; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE AGENDA ITEM NO. 150990) ***Commissioner: Jordan***
8A1	RESOLUTION APPROVING FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND LANDMARK AVIATION MIAMI, LLC, FOR PREMISES AT MIAMI INTERNATIONAL AIRPORT, EXTENDING THE TERM OF THE LEASE BY FIVE YEARS AND PROVIDING FOR TENANT INVESTMENT OF $3,375,000.00; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL RIGHTS CONTAINED THEREIN, INCLUDING BUT NOT LIMITED TO EXTENSION OR TERMINATION PROVISIONS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A COPY OF THE AMENDMENT TO THE LEASE TO THE PROPERTY APPRAISER(Aviation Department) ***Commissioner: Levine Cava***
8D1	RESOLUTION APPROVING EXTENSION OF 2015 REAL AND PERSONAL PROPERTY TAX ROLLS AND ISSUANCE OF TAX BILLS PRIOR TO COMPLETION OF THE VALUE ADJUSTMENT BOARD HEARINGS(Finance Department) ***Commissioner: Levine Cava***
8F2	RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CALIFORNIA CLUB MALL SHOPPING CENTER, LTD., A FLORIDA LIMITED PARTNERSHIP, FOR PREMISES LOCATED AT 700 IVES DAIRY ROAD, MIAMI, FLORIDA, TO BE UTILIZED BY THE MIAMI-DADE PUBLIC LIBRARY SYSTEM FOR LIBRARY AND OFFICE SPACE, WITH A TOTAL FISCAL IMPACT TO THE MIAMI-DADE PUBLIC LIBRARY SYSTEM ESTIMATED TO BE $4,415,544.00 FOR THE INITIAL FIVE YEAR TERM OF THE LEASE AND THE TWO ADDITIONAL, FIVE YEAR RENEWAL OPTION PERIODS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN(Internal Services). *Jordan* ***Commissioner: Sosa***
8F3	RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AMENDED AND RESTATED LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SEED FOUNDATION, INC., A WASHINGTON D.C. NOT-FOR-PROFIT CORPORATION, FOR DEVELOPABLE LAND LOCATED AT THE KENDALL COMPLEX, 11025 SW 84 STREET, TO BE USED AS A COLLEGE PREPARATORY BOARDING SCHOOL FOR AT-RISK, LOW-INCOME BOYS AND GIRLS, WITH A TOTAL GROSS RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE $4,200,068.00, FOR THE INITIAL 20-YEAR TERM OF THE LEASE AND THE TWO ADDITIONAL 34 YEAR RENEWAL OPTION PERIODS; AUTHORIZING THE COUNTY TO ACCEPT UP TO $20,000.00 FROM THE SEED FOUNDATION, INC. FOR THE RELOCATION OF THE ARC OF SOUTH FLORIDA; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REDUCE A PORTION OF THE RENT PAYMENT IN EXCHANGE FOR PERFORMANCE OF CERTAIN RENOVATIONS, REPAIRS, IMPROVEMENTS AND/OR MAINTENANCE TASKS TO THE COUNTY'S ADJACENT PROPERTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE LEASE AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; 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(Internal Services) ***Commissioner: Levine Cava***
8F4	RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00002 TO NEW FLYER OF AMERICA, INC. FOR PURCHASE OF 60-FOOT ARTICULATED HYBRID BUSES IN THE TOTAL AMOUNT NOT TO EXCEED $71,387,000.00 FOR THE MIAMI-DADE TRANSIT DEPARTMENT; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY CANCELLATION, RENEWAL AND OTHER PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES [SEE ORIGINAL ITEM UNDER FILE NO. 150010](Internal Services) ***Commissioner: Barreiro, Sosa***
8F5	RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00151 FOR PURCHASE OF T-SHIRTS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED $1,608,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY

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	MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT(Internal Services) ***Commissioner: Zapata, Sosa***
8F9	RESOLUTION AUTHORIZING THE ADVERTISEMENT OF REQUEST FOR PROPOSALS, RFP-00031, FOR A CAR SHARING PROGRAM FOR MIAMI-DADE COUNTY; PRESERVING COUNTY MAYOR'S DELEGATED AUTHORITY UNDER SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, INCLUDING THE AUTHORITY TO ISSUE ADDENDA AS NECESSARY DURING ADVERTISEMENT PERIOD; AND PROVIDING NOTIFICATION TO THE COUNTY COMMISSION OF ADDENDA AT THE TIME OF AWARD(Internal Services) ***Commissioner: Levine Cava***
8G1	RESOLUTION APPROVING TERMS OF INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE PROVISION OF FINANCIAL SUPPORT NOT TO EXCEED $13,900,000.00 FOR THE TRI-RAIL DOWNTOWN MIAMI LINK STATION IMPROVEMENTS AT THE MIAMI CENTRAL STATION; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSE [SEE AGENDA ITEM NO. 10A1](Office of Management and Budget) *Barreiro, Edmonson* ***Commissioner: Zapata, Barreiro, Sosa, Levine Cava***
8H3	RESOLUTION APPROVING CONTRACT TERMINATION AND SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND AQUA MARINE PARTNERS, L.L.C., FOR A PAYMENT TO AQUA MARINE PARTNERS. L.L.C IN THE AMOUNT OF $114,700.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT AND TO EXERCISE ALL RIGHTS CONTAINED THEREIN(Parks, Recreation and Open Spaces) *Suarez* ***Commissioner: Sosa***
8K2	RESOLUTION APPROVING THE EARLY RELEASE OF AFFORDABILITY PERIOD RELATED TO A COUNTY SURTAX LOAN TO MBCDC SCATTERED SITES APARTMENTS, LLC FOR KNIGHTSBRIDGE CONDOMINIUMS, SUBJECT TO SATISFACTION OF CERTAIN CONDITIONS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A RELEASE OF THE RENTAL REGULATORY AGREEMENT'S RESTRICTIONS AND AFFORDABILITY PERIOD FOR KNIGHTSBRIDGE CONDOMINIUM ON BEHALF OF MIAMI-DADE COUNTY (Public Housing and Community Development). *Heyman* ***Commissioner: Jordan, Levine Cava***

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8L1	RESOLUTION APPROVING A CONTRACT AWARD IN THE AMOUNT NOT TO EXCEED $329,352.80 TO R & D ELECTRIC, INC. FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED "TRAFFIC SIGNAL INSTALLATION"; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND EXERCISE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS FOR SUCH PURPOSES(Public Works & Waste Management) ***Commissioner: Jordan***
8M1	RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH AND MIAMI-DADE COUNTY FOR SURFACE WATER QUALITY SAMPLING AND ANALYSIS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME(Regulatory and Economic Resources) *Bovo, Diaz* ***Commissioner: Jordan***
10A1	RESOLUTION APPROVING AN AMENDMENT TO THE FIVE-YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN TO INCLUDE THE QUAIL ROOST PARK & RIDE FACILITY AND THE TRI-RAIL DOWNTOWN MIAMI LINK CENTRAL STATION [SEE AGENDA ITEM NO. 8G1](Citizens' Independent Transportation Trust) *Barreiro, Moss* ***Commissioner: Zapata***
11A1	RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONSULT WITH THE MIAMI-DADE COUNTY HOMELESS TRUST, THE CITY OF MIAMI AND THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY TO IDENTIFY ADDITIONAL PLACEMENT OPPORTUNITIES FOR HOMELESS INDIVIDUALS AND TO CONSIDER THE FEASIBILITY OF IMPLEMENTING A PORTABLE BATHROOM PROGRAM IN THE DOWNTOWN MIAMI AREA, AND TO PREPARE AND SUBMIT A REPORT [SEE ORIGINAL ITEM UNDER FILE NO. 151036].*Barreiro* ***Commissioner: Heyman, Barreiro***
11A2	RESOLUTION DECLARING SURPLUS COUNTY-OWNED LAND LOCATED AT 1280 NW 11TH STREET IN THE CITY OF MIAMI, FLORIDA, AUTHORIZING THE CONVEYANCE OF SAME TO THE RIVER LANDING CONSERVATION FOUNDATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE PURPOSE OF CREATION AND MAINTENANCE OF GREEN SPACE, SEAWALL, LANDSCAPING, LIGHTING AND A RIVERWALK OPEN TO THE PUBLIC, AS WELL AS INCIDENTAL PUBLIC FAIRS OR SHOWS FOR NO MORE THAN THIRTY TOTAL DAYS A YEAR, AND REQUIRING THE FOUNDATION'S EXPENDITURE OF A MINIMUM OF $3,974,223.00 TO CREATE SUCH IMPROVEMENTS; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD AND POLICY SET FORTH IN RESOLUTION NO. R-256-13 REQUIRING A LEASE RATHER THAN A DEED WHEN CONVEYING PROPERTY TO NOT-FOR-PROFIT ENTITIES UNDER FLORIDA STATUTE SECTION 125.38; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED AND DECLARATION OF RESTRICTIONS FOR SUCH PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY. *Barreiro* ***Commissioner: Barreiro, Sosa Levine Cava***
11A5	RESOLUTION APPROVING, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, AN EXCHANGE AGREEMENT WITH MAPTON HOLDINGS, LLC FOR THE CONVEYANCE TO AND PURCHASE BY THE COUNTY OF TWO PARCELS OF LAND TOTALING APPROXIMATELY 15,715 SQUARE FEET AND LOCATED AT 2153 NW 2ND AVENUE AND 2145 NW 2ND AVENUE ALONG WITH IMPROVEMENTS TO BE BUILT FOR THE COUNTY THEREON AT A COST TO THE DEVELOPER OF NO LESS THAN $7,374,000.00, IN EXCHANGE FOR THE CONVEYANCE TO MAPTON HOLDINGS, LLC OF FOUR PARCELS OF VACANT LAND TOTALING APPROXIMATELY 60,560 SQUARE FEET AND LOCATED AT 270 NW 23RD STREET, 251 NW 22ND LANE, 205 NW 22ND LANE, AND 2268 NW 2ND AVENUE AND THE PURCHASE PRICE OF $2,500,000.00 TO BE FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION FUND PROJECT NO. 324 – PUERTO RICAN COMMUNITY CENTER, SUBJECT TO SATISFACTION OF CONDITIONS; DECLARING FOUR COUNTY PARCELS SURPLUS, WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY PLANNING ADVISORY BOARD, AND AUTHORIZING CHAIRPERSON OR VICE-CHAIRPERSON OF THIS BOARD TO EXECUTE COUNTY DEED; DIRECTING COUNTY MAYOR OR DESIGNEE TO EXECUTE EXCHANGE AGREEMENT; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE CERTAIN DELEGATED AUTHORITY AND ALL PROVISIONS CONTAINED IN EXCHANGE AGREEMENT, AND TO COMPLETE ALL ACTS NECESSARY TO EFFECTUATE THE EXCHANGE OF PROPERTIES [SEE ORIGINAL ITEM UNDER FILE NO. 151326]. *Sosa* ***Commissioner: Edmonson***

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

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11A4	RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR MIAMI-DADE COUNTY TO BE DESIGNATED AS A PARTICIPATING COMMUNITY OF "CITIES FOR CITIZENSHIP"; DEVELOP AND IMPLEMENT A PLAN TO LAUNCH AN INITIATIVE IN FISCAL YEAR 2015-2016 THAT WILL PROMOTE INCREASING THE NUMBER OF LEGAL PERMANENT RESIDENTS IN MIAMI-DADE COUNTY WHO APPLY FOR CITIZENSHIP; IDENTIFY AND UTILIZE LEGALLY AVAILABLE FUNDING SOURCES IN THE FISCAL YEAR 2014-2015 COUNTY BUDGET TO LAUNCH A PUBLICITY CAMPAIGN DURING "NATIONAL CITIZENSHIP MONTH" TO RAISE AWARENESS ABOUT THE INITIATIVE; SUBMIT A STATUS REPORT [SEE ORIGINAL ITEM UNDER FILE NO. 151303] ***Commissioner: Levine Cava, Monestime***
11A20	RESOLUTION AFFIRMING MIAMI-DADE COUNTY'S SUPPORT OF PROVIDING OPPORTUNITIES FOR ITS RESIDENTS TO LEARN AND IMPROVE SPANISH, CREOLE AND ENGLISH LANGUAGES AT NO COST TO SUCH RESIDENTS; AUTHORIZING THE USE OF SPACE AT THE COUNTY'S FOUR REGIONAL LIBRARY BRANCHES TO HOLD AT LEAST WEEKLY CLASSES FOR TEACHING SUCH SPANISH, CREOLE AND ENGLISH CLASSES IN THE EVENING HOURS CONSISTENT WITH EXISTING LIBRARY HOURS; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK VOLUNTEERS AND TO WORK WITH ALL UNIVERSITIES AND COLLEGES IN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM TO PROVIDE INSTRUCTORS FOR SUCH CLASSES AT NO COST TO THE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 151151] ***Commissioner: Heyman***
11A22	RESOLUTION ESTABLISHING POLICY REQUIRING, SOLELY AT THE COST OF A COMMUNITY REDEVELOPMENT AGENCY, THE PREPARATION AND SUBMISSION OF AN UPDATED FINDING OF NECESSITY STUDY THAT DEMONSTRATES THAT SLUM OR BLIGHT STILL EXISTS WITHIN A DESIGNATED COMMUNITY REDEVELOPMENT AREA WHENEVER A COMMUNITY REDEVELOPMENT AGENCY SEEKS APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS TO EXTEND THE LIFE OF SUCH COMMUNITY REDEVELOPMENT AGENCY AND THE COMMUNITY REDEVELOPMENT AREA ***Commissioner: Zapata, Jordan***

CO-SPONSORSHIPS

4A	ORDINANCE AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CLARIFYING THAT WHERE NOT PRECLUDED BY FEDERAL OR STATE LAW OR FUNDING SOURCE, HOURLY WAGES TO BE PAID ON FEDERALLY OR STATE FUNDED COUNTY CONSTRUCTION CONTRACTS SHALL BE THE HIGHER OF DAVIS-BACON ACT RATES OR THE RATES UNDER SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE. *Levine Cava* ***Commissioner: Edmonson***
4Q	ORDINANCE RELATED TO AUDITS OF SPECIAL TAXING DISTRICT; AMENDING SECTION 18-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING ANNUAL AUDITS OF SPECIAL TAXING DISTRICTS TO BE PLACED ON AN AGENDA OF THE BOARD OF COUNTY COMMISSIONERS BY A SPECIFIED DEADLINE; PROVIDING ADDITIONAL REQUIREMENTS FOR SUCH AUDITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE ***Commissioner: Levine Cava***
5D & Supp	RESOLUTION AMENDING RESOLUTION NO. R-488-14 TO REVISE THE COUNTY ROAD CODESIGNATION, AND URGING THE FLORIDA LEGISLATURE TO REVISE THE STATE ROAD CODESIGNATION, OF PORTIONS OF SW 152 STREET FROM BEING "LARCENIA BULLARD WAY" TO BEING "SENATOR LARCENIA J. BULLARD WAY"; AMENDING RESOLUTION NO. R-481-14 TO APPROVE STATE REVISION; DIRECTING THE MAYOR OR DESIGNEE TO INSTALL APPROPRIATE SIGNAGE ON TRAFFIC SIGNAL MAST ARMS AND STREET SIGNS PURSUANT TO RESOLUTION NOS. R-825-07 AND R-159-07 ***Commissioner: Edmonson***
7A	ORDINANCE RELATED TO CIVIL PENALTIES FOR CERTAIN MISDEMEANOR VIOLATIONS; AMENDING SECTIONS 21-81, 8CC-5.1 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CIVIL PENALTIES FOR THE COMMISSION OF CERTAIN MISDEMEANORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 11A10]. *Heyman* ***Commissioner: Jordan***
10A1	RESOLUTION APPROVING AN AMENDMENT TO THE FIVE-YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN TO INCLUDE THE QUAIL ROOST PARK & RIDE FACILITY AND THE TRI-RAIL DOWNTOWN MIAMI LINK CENTRAL STATION [SEE AGENDA ITEM NO. 8G1](Citizens' Independent Transportation Trust). *Barreiro, Moss* ***Commissioner: Edmonson***
11A3	RESOLUTION WELCOMING, SUPPORTING AND PROMOTING THE 24TH ANNUAL GENERAL MEMBERSHIP MEETING OF THE EAST COAST GREENWAY ALLIANCE TO BE HELD NOVEMBER 13-15, 2015 IN MIAMI-DADE COUNTY, ALONG WITH THE ASSOCIATED WHEELS EVENTS TO BE HELD NOVEMBER 11-15, 2015 THROUGHOUT MIAMI-DADE COUNTY; URGING THE PUBLIC AND PRIVATE SECTORS TO SUPPORT THESE EVENTS; AND CALLING UPON MIAMI-DADE COUNTY RESIDENTS TO PARTAKE IN THESE EVENTS MEANT TO ENCOURAGE MORE MOBILITY VIA BIKING, WALKING, TRANSIT AND TRAILS [SEE ORIGINAL ITEM UNDER FILE NO. 151305]. *Levine Cava* ***Commissioner: Edmonson***
11A13	RESOLUTION ESTABLISHING COUNTY POLICY TO IMPLEMENT ADDITIONAL MIAMI-DADE POLICE DEPARTMENT RECRUITING CLASSES, AS AND WHEN NECESSARY, TO OFFSET THE ANTICIPATED LOSS OF OFFICERS DUE TO RETIREMENT OR ENROLLMENT IN THE DEFERRED RETIREMENT OPTION PROGRAM; AND DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A REPORT TO THIS BOARD REGARDING A PLAN FOR IMPLEMENTATION OF THIS POLICY AND TO INCLUDE THE PLAN FOR IMPLEMENTATION OF THE POLICY AS PART OF THE COUNTY BUDGET COMMENCING FISCAL YEAR 2015-16 [SEE ORIGINAL ITEM UNDER FILE NO. 150994] ***Commissioner: Levine Cava***
11A17	RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT A REPORT EXAMINING THE FEASIBILITY OF USING LAND OWNED, USED OR CONTROLLED BY THE COUNTY FOR MASS TRANSIT PROJECTS AND URGING THE COUNTY MAYOR TO CONSIDER THE FEASIBILITY OF MASS TRANSIT PROJECTS BEFORE FUTURE ACQUISITIONS, USES, SALES, OR DEDICATIONS OF SUCH LAND FOR OTHER USES. *Souto* ***Commissioner: Edmonson, Sosa***
11A18	RESOLUTION DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO ESTABLISH A SPECIALIZED WASTE CLEANUP UNIT TO SERVE THE UNINCORPORATED MUNICIPAL SERVICE AREA IN ORDER TO PRIORITIZE AND DEDICATE ADDITIONAL RESOURCES TO BULKY WASTE COLLECTION, ILLEGAL DUMPING, AND GRAFFITI REMOVAL IN THIS AREA USING LEGALLY AVAILABLE FUNDS AND IF SUCH FUNDS ARE NOT AVAILABLE, DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO INCLUDE A PLAN FOR IMPLEMENTATION OF THE SPECIALIZED WASTE CLEANUP UNIT AS PART OF THE FISCAL YEAR 2015-2016 COUNTY BUDGET; ESTABLISHING DUTIES OF THE SPECIALIZED WASTE CLEANUP UNIT AND DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO SUBMIT A STATUS REPORT ON SUCH EFFORTS AND ANY RELEVANT FUNDING NEEDS [SEE ORIGINAL ITEM UNDER FILE NO. 151157]. *Souto* ***Commissioner: Edmonson***

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

Tuesday, June 30th, 2015

Co-Sponsorships

11A20	RESOLUTION AFFIRMING MIAMI-DADE COUNTY'S SUPPORT OF PROVIDING OPPORTUNITIES FOR ITS RESIDENTS TO LEARN AND IMPROVE SPANISH, CREOLE AND ENGLISH LANGUAGES AT NO COST TO SUCH RESIDENTS; AUTHORIZING THE USE OF SPACE AT THE COUNTY'S FOUR REGIONAL LIBRARY BRANCHES TO HOLD AT LEAST WEEKLY CLASSES FOR TEACHING SUCH SPANISH, CREOLE AND ENGLISH CLASSES IN THE EVENING HOURS CONSISTENT WITH EXISTING LIBRARY HOURS; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK VOLUNTEERS AND TO WORK WITH ALL UNIVERSITIES AND COLLEGES IN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM TO PROVIDE INSTRUCTORS FOR SUCH CLASSES AT NO COST TO THE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 151151] ***Commissioner: Edmonson***
11A24	RESOLUTION URGING CONGRESS TO ENFORCE THE REQUIREMENT THAT EMPLOYMENT OF AN H-1B EMPLOYEE WILL NOT ADVERSELY AFFECT THE WAGES AND WORKING CONDITIONS OF SIMILARLY EMPLOYED UNITED STATES EMPLOYEES ***Commissioner: Edmonson***
11A25	RESOLUTION SUPPORTING THE RECENT PLEDGE BY THE UNITED STATES TO CUT GREENHOUSE GAS EMISSIONS BY UP TO 28 PERCENT OVER THE NEXT DECADE ***Commissioner: Levine Cava***
11A26	RESOLUTION SUPPORTING CONGRESSMAN CARLOS CURBELO'S AMENDMENT TO THE "STUDENT SUCCESS ACT," OR SIMILAR LEGISLATION THAT WOULD ALLOW STUDENTS WHO ARE ENGLISH LEARNERS ADEQUATE TIME TO LEARN THE ENGLISH LANGUAGE BEFORE THEIR TEST SCORES ARE INCLUDED IN SCHOOL AND TEACHER PROFICIENCY CALCULATIONS ***Commissioner: Edmonson***
11A27	RESOLUTION CONDEMNING THE DOMINICAN REPUBLIC'S IMPENDING MASS DEPORTATION OF HAITIAN IMMIGRANTS ***Commissioner: Levine Cava***
11A28	RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO REPORT TO THE BOARD REGARDING THE PAST, CURRENT, AND FUTURE MANAGEMENT OF SPECIAL TAXING DISTRICTS ***Commissioner: Levine Cava***

MEMORANDUM
Jean Monestime
Chairman

BOARD OF COUNTY COMMISSIONERS

To:	Hon. Vice Chairman Esteban L. Bovo, Jr. and Members, Board of County Commissioners	Date:	June 30, 2015
From:	Jean Monestime, Chairman	Re:	Changes Sheet

Additions

1K1

151550 MIAMI-DADE COUNTY COMMISSION FOR WOMEN SCHOLARSHIP PRESENTATION BY CHAIRWOMAN MARA ZAPATA TO RECIPIENTS, SHAQUELL BALLOU AND MICHELLE RODRIGUEZ, GRADUATING SENIORS FROM THE YOUNG WOMEN'S PREPARATORY ACADEMY (Office of Community Advocacy)

3A9 SUBSTITUE — Jean Monestime

151553 RESOLUTION APPROVING ALLOCATION OF FY 2014-15 OFFICE OF THE CHAIR BUDGET FUNDS AND ALLOCATIONS OF FY 2014-15 DISTRICT 2 OFFICE BUDGET FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 151452]

Additions

5G SUPPLEMENT

151558 SUPPLEMENTAL INFORMATION REGARDING ORDINANCE ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR STREET LIGHTING SPECIAL TAXING DISTRICTS

5H SUPPLEMENT

151557 SUPPLEMENTAL INFORMATION REGARDING THE ORDINANCE APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT RATES REMAINING FLAT FOR STREET LIGHTING, MULTIPURPOSE MAINTENANCE, AND SECURITY GUARD, AND CAPITAL IMPROVEMENTS/ROAD MAINTENANCE SPECIAL TAXING DISTRICTS

5I SUPPLEMENT

151559 SUPPLEMENTAL INFORMATION REGARDING ORDINANCE ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR SECURITY GUARD SPECIAL TAXING DISTRICTS

5J SUPPLEMENT

151556 SUPPLEMENTAL INFORMATION REGARDING ORDINANCE ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICTS

8F5 SUPPLEMENT

151544 SUPPLEMENT TO RECOMMENDATION FOR APPROVAL TO AWARD: T-SHIRTS

Additions

11A2 SUPPLEMENT

151541 SUPPLEMENTAL INFORMATION TO RESOLUTION DECLARING AS SURPLUS A COUNTY-OWNED PROPERTY LOCATED AT 1280 NW 11 STREET, MIAMI, FLORIDA

11A6 SUPPLEMENT

151555 SUPPLEMENTAL INFORMATION TO RESOLUTION APPROVING MIAMI-DADE ECONOMIC ADVOCACY TRUST NOMINATING COUNCIL'S RECOMMENDATION FOR THE TRUST BOARD OF TRUSTEES; AND APPOINTING ELBERT WATERS, ALTHEA HARRIS, KATRINA WRIGHT, STEVE GALLON, III, BRIAN WILLIAMS, CHARLOTTE PITTMAN, KAREEM J. CONEY, RUBAN ROBERTS, MICHELLE LA PIANA, CRAIG EMMANUEL AND DR. LARRY CAPP AS BOARD OF TRUSTEES (Clerk of the Board)

14A1

151531 RESOLUTION RATIFYING THE ACTIONS OF THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE IN APPLYING FOR, RECEIVING, AND EXPENDING $324,500.00 IN GRANT FUNDS AWARDED BY, AND EXECUTING VARIOUS GRANT AGREEMENTS WITH, THE AMERICAN SOCIETY FOR THE PREVENTION OF ~~CRUELTY TO ANIMALS FOR LIFE SAVING PROGRAMS FOR ANIMALS~~ AND TO REDUCE COMMUNITY PET OVERPOPULATION AND SHELTER INTAKE AND APPROVING TERMS AND CONDITIONS OF SUCH GRANT AGREEMENTS (Animal Services)

Additions

14A2 Daniella Levine Cava

151529 ORDINANCE RELATING TO PROTECTION OF EMPLOYEES DISCLOSING SPECIFIED INFORMATION; AMENDING CHAPTER 2, ARTICLE IV, DIVISION 6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO EXPAND THE METHODS FOR MAKING PROTECTED DISCLOSURES AND FACILITATE DISCLOSURE OF INFORMATION TO THE INSPECTOR GENERAL; AMENDING PROVISIONS REGARDING REMEDIES AND THE REVIEW PROCESS OF THE COMMISSION ON ETHICS AND PUBLIC TRUST; PROVIDING FOR INVESTIGATIONS BY THE INSPECTOR GENERAL AND NOTICE OF STATE LAW CONFIDENTIALITY PROTECTIONS AND CONSEQUENCES OF PROVIDING FALSE INFORMATION PURSUANT TO THIS SECTION; AMENDING PROVISIONS REGARDING INVESTIGATIONS AND DETERMINATIONS BY THE ETHICS COMMISSION; PROVIDING FOR OUTREACH, INFORMATION AND TRAINING FOR COUNTY EMPLOYEES; DELETING AWARDS PROGRAM REMEDIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

14A3 Barbara J. Jordan

151554 ORDINANCE AMENDING CHAPTER 17, ARTICLE IX OF THE CODE OF MIAMI-DADE COUNTY RELATING TO THE WORKFORCE HOUSING DEVELOPMENT PROGRAM ADMINISTRATION; AMENDING DEFINITION OF THE TERMS "WORKFORCE HOUSING RENT" OR "WHU RENT"; SETTING MINIMUM AMOUNT OF COUNTY MORTGAGE; UPDATING INCORRECT CODE REFERENCE; UPDATING TERMINOLOGY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Additions

14A4 Juan C. Zapata

151522 ORDINANCE GRANTING PETITION OF INTERLAKEN COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT" OR "PETITIONER") TO EXPAND THE BOUNDARY OF THE DISTRICT ESTABLISHED BY ORDINANCE NO. 11-101; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works & Waste Management)

14A5 Jose "Pepe" Diaz

151560 ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS FLAGLER STATION NORTH MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

15D1 SUPPL. SUBSTITUE

151525 SUPPLEMENTAL INFORMATION TO BOARD APPOINTMENT - MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE (Clerk of the Board)

Deferrals

4A Daniella Levine Cava

151421 ORDINANCE AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CLARIFYING THAT WHERE NOT PRECLUDED BY FEDERAL OR STATE LAW OR FUNDING SOURCE, HOURLY WAGES TO BE PAID ON FEDERALLY OR STATE FUNDED COUNTY CONSTRUCTION CONTRACTS SHALL BE THE HIGHER OF DAVIS-BACON ACT RATES OR THE RATES UNDER SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Note: ***The Prime Sponsor has requested deferral of this item to no date certain.***

Withdrawals

5P

151228 ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Scrivener's Errors

8F10

151316 RESOLUTION RATIFYING VARIOUS ACTIONS OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO CAPITAL IMPROVEMENT CONTRACTS SOME OF WHICH ARE FUNDED WITH BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS, AND AMERICAN RECOVERY AND REINVESTMENT ACT FUNDED CONTRACTS PURSUANT TO THE ECONOMIC STIMULUS ORDINANCE, SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (Internal Services)

Note: ***On handwritten page one, the word "retroactive" should be removed from Item 6 and it should read as follows:***

Item 6 – Amendment No. 2 – Design-Build Contract for the South District Wastewater Treatment Plant Cogeneration Facility Improvement: Ratifies a change order for a time extension of 130 days only to address revisions to the electrical feeder and related equipment modifications. There is no fiscal impact with the ratification of this item.

Note: UPON THE ADOPTION OF ANY SUBSTITUTE OR ALTERNATE AGENDA ITEM, THE ACCOMPANYING SUBSTITUTES AND/OR ALTERNATES SHALL BE DEEMED WITHDRAWN.

16' #_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting:_____ Agenda Item #: CITIZEN PRES'

Subject: RACE IN COUNTY

Name: MAYOR JOHN RILEY

Address: 3763 NW 135TH OPA LOCKA

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 06/30/2015 BCC Mtg. Date _____ Agenda Item # 161

Subject: Citizen Concern

Name: Emmanuel George

Address: 17 NE 2nd ave apt#106

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:✓

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:✓

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/29/2015 BCC Mtg. Date _____ Agenda Item # 1G1

Subject: Citizen concern

Name: Francois Alexandre

Address: 1060 NE 80th St Apt C Miami FL 33138

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: /

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No: /

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6-30-15 BCC Mtg. Date _____ Agenda Item # 16

Subject: Youth and what we envision our Community to look like

Name: James Mingin II

Address: 1860 NW 84th Terrace

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:✓

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:✓

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date _____ Agenda Item # 1G1

Subject: Citizen Concerns

Name: Valencia Garcia

Address: 2060 NW 17th Ave Miami Gardens

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:✓

If yes, please list name: _____ / _____ / _____

Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:✓

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date:_____ Meeting:_____ Agenda Item #: _____

Subject: _____

Name: _____

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? □ Yes □ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? □ Yes □ No

Do you require an interpreter?

¿Necesita un intérprete? □ Spanish/*Español* *Èske w bezwen yon Entèprèt?* □ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BCC Agenda Item #: 1G1

Subject: Citizen writs

Name: Lisel Registre

Address: 18928 NW 63 Ct cir Hialeah, FL 33015

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt*? ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 1 Meeting: 6 30 Agenda Item #: _____

Subject: Citizens Right

Name: Boris Shvazman

Address: 251 174 St #1517 Sunny Isl. Beach FL 3316

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: Central C.C.
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date:_____ Meeting:_____ Agenda Item #: 1C-1

Subject: _____

Name: _____

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BCC Agenda Item #: 1C-1

Subject: Citizen Rights

Name: Roberto Puente

Address: 927 NE 191 ST North Miami Beach, FL 33179

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Taxi Industry SFTA

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6, 30, 15 Meeting: ~~CCAM 6/30~~ BCC Agenda Item #: 1C-1

Subject: CITIZENS RIGHTS

Name: DIEGO FELICIANO

Address: 2530 NW 27 AVE, MIAMI, FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date _____ Agenda Item # 1 B1

Subject: Concerned citizen

Name: Brian Dennis

Address: 573 NW 55 St

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: X

If yes, please list name: _____ / _____ / Individual

Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No: X

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6-30-15 BCC Mtg. Date 6-30-15 Agenda Item # 16

Subject: Liberty Square Zoning

Name: Oliver L. Gross

Address: 8500 N.W. 25th ave

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: ✓

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6-30-15 BCC Mtg. Date _____ Agenda Item # 1G1

Subject: Community Concerns

Name: Daniel Aguilu

Address: 280 NW 42nd St Miami FL 33127

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: /

If yes, please list name: Individual / / /

Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30 Meeting: BCC Agenda Item #: _____

Subject: _____

Name: _____

Address: 2999 NW 3C ST

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6-30/15 BCC Mtg. Date ~~7/1~~ 6/30 Agenda Item # 1C1

Subject: _____

Name: ERIC KNOWLES

Address: 100 S BISCAYNE BLVD 3RD FLR

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:_____

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 1G1

Subject: Cities for Citizenship

Name: Manuel Ernesto Gutierrez

Address: 12310 SW 259 St Homestead, FL 33032

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/2015 Meeting: BCC Public Hr Agenda Item #: [redacted] 1 G

Subject: Citizen Participation - Overtown II

Name: RENITA Thurmond

Address: 350 NW 4th St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: CWDA IVE

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date _____ Agenda Item # 1G1

Subject: Concerned Citizen

Name: Danielle L. Campbell

Address: 8130 NW 12th pl. Miami, FL 33147

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: ✓

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No: ✓

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/2011 Meeting: Dominig Republic Reso Agenda Item #: 101

Subject: Domiilican Republic

Name: Jean R. LAFORTUNE

Address: 13235 N.W 2 Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: HAITIAN-American Grassroots Coalition (HAGC)

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☑ Creole/*Kreyol*

Fmr. Elected

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30 Meeting: BCC Agenda Item #: Public Time

Subject: Civil Fines

Name: B. J. Chiszar

Address: 2060 NE 194th Terr

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

June 30, 2015
Agend Item No. 2(B)1

Memorandum

MIAMI-DADE COUNTY

Date: June 2, 2015

To: Honorable Chairman Jean Monestime
And Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Craigslist Safe Haven – Directive 150527

The attached information is provided in response to Resolution No. R-126-15 adopted by the Board of County Commissioners on February 3, 2015 requesting me to examine the feasibility of providing at least four (4) locations in Miami-Dade County to serve as a safe haven for anyone seeking to complete an internet sale transaction related to a classified advertisement website. These locations should be sites that deter criminal activity, be well populated, and provide a safe location to conduct internet sale transactions.

Police departments across the country are responding to an increasing trend of internet sale transactions that result in robberies and thefts. These actions affect the larger number of individuals who are conducting their sales in an honest manner and ensure that these transactions occur safely.

The Internal Services Department (ISD) has identified four (4) locations, one in the north, south, west, and central parts/areas of Miami-Dade County for all residents who wish to complete safe internet sale transactions. The locations identified by ISD are as follows:

1. North Dade Justice Center
   15555 Biscayne Boulevard
   Security until 6:00 pm

2. South Dade Government Center
   10710 SW 211 Street
   Security until 6:00 pm

3. West Dade Permitting and Inspection Center
   11805 SW 26 Street
   Security until 8:00 pm

4. Stephen P. Clark Center
   111 NW First Center
   Security onsite 24 hours / 7 days a week

Except for the Stephen P. Clark Center, these County facilities conduct business Monday through Friday from 8:00 am to 5:00 pm, and provide, for a limited timeframe, after-hour security. The Stephen P. Clark Center is the only County facility identified that is open 24 hours a day / 7 days a week.

In addition to the four (4) County facilities listed above, if any member of this community feels unsure or unsafe about conducting their internet sale transactions, they may use any Miami-Dade Police Department (MDPD) District facility parking lot. A list of MDPD Districts can be found at http://www.miamidade.gov/police/contacts-us.asp. In addition, I am also asking that MDPD create safety tips for internet sale transactions and make them available on their MDPD website.

Per Ordinance 14-65, this memorandum will be placed on the next available Board of County Commissioners meeting agenda.

If you have any further questions, please feel free to contact Tara Smith, ISD Director, at 305-375-1135 or J.D. Patterson, Jr., MDPD Director, 305-471-3272, or me directly.

c: Robert A. Cuevas, Jr., County Attorney
Russell Benford, Deputy Mayor
Tara Smith, Director, Internal Services Department
J.D. Patterson, Jr., Director, Miami-Dade Police Department
Christopher Agrippa, Clerk of the Board
Eugene Love, Director, Office of Agenda Coordination
Charles Anderson, Commission Auditor

June 30, 2015
Agenda Item No. 2(B)2

Memorandum

MIAMI-DADE COUNTY

Date: June 8, 2015

To: Honorable Chairman Jean Monestime
And Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Miami-Dade Fire Rescue Vehicles - Directive 150739

The following information is provided in response to Commissioner Sally A. Heyman's directive at the April 21, 2015 Board of County Commissioners meeting requesting to stock all Miami-Dade Fire Rescue (MDFR) battalion vehicles and EMS Supervisor vehicles with oxygen masks and other necessary equipment that is specialty designed to treat domestic animals and infants for smoke inhalation. MDFR has stocked all Battalion and EMS Supervisor vehicles with Domestic Animal Oxygen Mask kits. All MDFR personnel have been notified of the availability of these masks and their use. These masks have been and will continue to be a regular stock item in supply.

Additionally, all MDFR rescue, suppression, and specialty units carry, as a regular part of their inventory, oxygen delivery masks specifically for adult and pediatric patients as a regular part of their inventory.

Per Ordinance 14-65, this memorandum will be placed on the next available Board of Commissioners meeting agenda.

If you have any further questions, please feel free to contact Fire Chief Dave Downey at 786-331-5118, or me directly.

c: Robert A. Cuevas, Jr., County Attorney
Russell Benford, Deputy Mayor, Office of the Mayor
Dave Downey, Fire Chief, Miami-Dade Fire Rescue
Christopher Agrippa, Clerk of the Board
Eugene Love, Director, Office of Agenda Coordination
Charles Anderson, Commission Auditor

Memorandum

MIAMI-DADE COUNTY

Date: June 8, 2015

Agenda Item No. 2(B)3
June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Response to Resolution No. R-231-15 Directing to Initiate Discussions with Insurance Company Representatives about Offering Incentive to Residential Pool Owners for Installing Pool Safety Equipment

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This report is in response to Resolution No. R-231-15, which directed the Administration to initiate discussions with insurance company representatives about offering incentives to residential pool owners who install pool safety equipment. The intent of Resolution No. R-231-15 is to reduce pool-related accidental injury and death throughout Miami-Dade County.

The County has sent letters to the top ten (10) Florida home insurance companies, requesting to discuss the feasibility of providing incentives (e.g., discounts to homeowner insurance policy) to residential pool owners who install pool safety equipment. The letter requested a response from the companies indicating interest within 30 days of receipt of the letter. The listing of the insurance companies contacted is as follows:

1. Citizens Property Insurance Corporation
2. State Farm Florida Insurance Company
3. Universal Property & Casualty Insurance Company
4. St. John's Insurance Company
5. United Services Automobile Association (USAA)
6. American Coastal Insurance Company
7. Florida Peninsula Insurance Company
8. Security First Insurance Company
9. Homeowner's Choice Property & Casualty Insurance Co. Inc.
10. United Property and Casualty Insurance Company

Staff from the Regulatory and Economic Resources and Internal Services departments will work directly with the companies to encourage an open dialog regarding potential incentives. An update will be provided to the Board of County Commissioners once the responses are received

Per Ordinance 14-65, this memorandum will be placed on the next available Board of County Commissioners meeting agenda.

Should you have any questions or concerns, please contact Miriam Singer, Senior Assistant Director for the Internal Services Department, or me directly.

c: Edward Marquez, Deputy Mayor, Office of the Mayor
Jack Osterholt, Deputy Mayor, Office of the Mayor
Tara Smith, Director, Internal Services Department
Miriam Singer, Senior Assistant Director, Internal Services Department
Barbara Dunlop, Acting Division Director, Risk Management Division, Internal Services Department
Eugene Love, Agenda Coordinator

June 30, 2015
Agenda Item No. 2(B)4

Memorandum

MIAMI-DADE COUNTY

Date: May 15, 2015

To: Honorable Commissioner Sally A. Heyman

From: Carlos A. Gimenez
Mayor

Subject: Aviation Department Overtime, Fringes, and Contractual Services Expenditures

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This memorandum responds to your request at the June 23, 2014 Finance Committee for a report on Miami-Dade Aviation Department overtime costs, fringe benefits, and contractual services, to include a recommendation on the possibility of reducing expenses through public/private partnerships with local businesses.

Overtime is primarily incurred by units within the Airside, Landside, Terminal, Safety and Security, and the Facilities Maintenance Division. Although overtime is regularly reviewed and carefully controlled, it is necessary to meet the operational needs of a large airport.

Fringe benefits are established at the County level and by contractual obligations with unions. They are not within the Aviation Department's purview.

All contractual services used by the Aviation Department are procured according to County policy, which requires competitive selection, establishes small business goals, and gives preference to local firms when practical. These services are essential to operating the Miami International Airport.

	Adopted Budget FY 2013-14	Actuals September 2014	Adopted Budget FY 2014-15
Overtime	$3,378,675	$3,661,430	$3,462,967
*Total Fringes	$25,255,542	$21,110,965	$28,220,964
Contractual Services	$77,298,103	$67,488,473	$89,234,988

*Total for Aviation Department annual payroll

Total budgeted current expenses are $457,971,325.00

Given the facts and circumstances, the Aviation Department does not believe that any of the above expenditures could be further reduced by entering into public-private partnerships. Per Ordinance 14-65, this memorandum will be placed on the next available applicable Committee meeting agenda and subsequently placed on the next available Board of County Commissioners meeting agenda.

C: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
Ed Marquez, Deputy Mayor, Office of the Mayor
Jack Osterholt, Deputy Mayor, Office of the Mayor
Emilio González, Aviation Director
Eugene Love, Agenda Coordinator

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

Agenda Item No. 2B5

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Monthly Status Report on Miami-Dade Water and Sewer Department's Infrastructure Projects – May 2015

At the November 15, 2013 Board of County Commissioners (Board) meeting, Commissioner Rebeca Sosa issued a directive requesting that the Miami-Dade Water and Sewer Department (WASD) prepare and submit monthly reports on the status of its water and sewer infrastructure projects and the project expenditures by funding source. At the March 11, 2014 Infrastructure and Capital Improvements Committee meeting, Commissioner Juan C. Zapata requested a monthly status report of the County's Consent Decree capital projects. On September 3, 2014, the Board approved Ordinance No. 14-77, which accelerates the approval process for the Department's capital projects. The Ordinance requires placement of a report on the Board agenda every 30 days containing a status update on Consent Decree projects and other capital improvement projects; upcoming advertisements of capital projects and their estimated contract value; qualifications for award beyond requisite licensing; contract measures and participation goals for each project; and the proposed methodology for award. In response to these directives, WASD prepared the attached reports: 1) Exhibit A shows all project related procurement activity as of May 14, 2015 including those projects authorized by Ordinance No. 14-77; 2) Exhibit B lists water and sewer infrastructure project expenditures by funding source; and 3) Exhibit C provides an update on the County's Consent Decree capital projects. In addition to the exhibits, a Summary of Changes showing the differences between last month's report (April 2015) and this month's report (May 2015) for Exhibits A, B, and C is documented on the next several pages of this memorandum.

Exhibit A contains information on WASD's projects from the first phase of the County's procurement process to the time the project is sent to the Board of County Commissioners as a contract award recommendation for approval. It is placed on a committee agenda each month in addition to being posted on the County's website (http://www.miamidade.gov/water/). Furthermore, prior to advertising a project, the project solicitations are posted on the Internal Services Department's webpage (http://www.miamidade.gov/procurement/solicitations.asp) and on the Small Business Development Division's webpage (http://www.miamidade.gov/business/business-certification-programs-CBE.asp#1) for industry review and comment for a minimum of two (2) weeks.

Exhibit B lists water and sewer infrastructure project expenditures by funding source (i.e. Bonds, Plant Expansion, Renewal and Replacement). The expenditures listed are not current; they are 30 days in arrears as reported by WASD's financial system.

Exhibit C provides information related to the County's Consent Decree capital projects in terms of: a) project cost estimate and actual costs; b) project estimated start date and actual start date; and c) actual completion date and regulatory completion date.

Jack Osterholt
Deputy Mayor

Summary of Changes

Exhibit A

A. Awarded Contracts

Ordinance No. 14-77	Project Number & Description	Summary of Changes
No	DB14-WASD-01 – Consent Decree Project Commission District 2 Design-Build Services for Replacement/ Rehabilitation of 72-inch Sewage Force Main along NW/NE 159th St. between N.W. 17th Ave. and N.E. 10th Ave.	Awarded on March 2, 2015 to Ric-Man Construction Florida, Inc. per Resolution No. R-1119-14 April 21, BCC ratification R-286-15
Yes	E14-WASD-01 Various Commission Districts Engineering and Geological Services Water, Wastewater and Reclaimed Water Planning Services	Awarded on March 17, 2015 to Tetra Tech, Inc. per Ordinance No. 14-77 – WASD Acceleration Ordinance April 21, BCC ratification R-286-15
No	W-927 Commission District 10 Southwest Wellfield Middle Lagoon Removal of Calcium Carbonate	May 5, 2015 BCC Approved Lanzo Construction, Co., Florida, Inc. R-415-15
No	S-866 *Various Commission Districts* ***(Consent Decree)*** Two Year Countywide Contract for Rehabilitation of Sanitary Sewers by the Cured-In-Place Pipe Lining Method	May 5, 2015 BCC Approved Insituform Technologies R-416-15

B. Projects Advertised

Ordinance No. 14-77	Project Number & Description	Summary of Changes
Yes	DB14-WASD-06 Commission District 9 Design-Build Services for the Replacement of Water Mains and Service Conversions in the South Miami Heights Area (A)	May 4, 2015 Project Advertised (Under the Cone of Silence) May 12, 2015 Project Briefing June 10, 2015 Proposal Submittal Deadline
Yes	DB14-WASD-07 Commission District 9 Design-Build Services for the Replacement of Water Mains and Service Conversions in the South Miami Heights Area (Phase B)	May 4, 2015 Project Advertised (Under the Cone of Silence) May 12, 2015 Project Briefing June 10, 2015 Proposals Submittal Deadline

Yes	DB14-WASD-09 Various Commission Districts Design-Build Services for Installation of a 36-inch Diameter Sewer Force Main located at 107 Ave. between N.W. 7 St. to N.W. 25 St.	April 27, 2015 Project Advertised (Under the Cone of Silence) May 27, 2015 Proposal Submittal Deadline

C. Status Change

Ordinance No. 14-77	Project Number & Description	Summary of Changes
Yes	DB14-WASD-03 Various Commission Districts Design-Build Criteria Package for the Proposed 48-inch Diameter Water Transmission Main for Area "N"	April 24, 2015 Proposal Submittals Deadline (Under the Cone of Silence) Pending Competitive Selection Committee Approval
Yes	DB14-WASD-05 Commission District 3 Design-Build Services for Furnishing and Installing a 48-inch Force Main along North Miami Avenue from N.W. 8 St. along to 36 St. and along N.E. 36 St. from North Miami Ave. to N.E. 2 Ave.	May 4, 2015 Proposals Submittal Deadline Extended (Under the Cone of Silence) Pending Competitive Selection Committee Approval
Yes	DB14-WASD-08 Commission District 7 Alexander Orr Water Treatment Plant Drinking Water Laboratory	Pending Request to Advertise Approval
Yes	E14-WASD-02 Various Commission Districts Professional Cost Estimating and Scheduling Services	Pending County Attorney's Approval Contract Award Recommendation to Atkins North America, Inc. (Under the Cone of Silence)
Yes	E14-WASD-03 Various Commission Districts Professional Engineering Services Relating to the Operations and Maintenance of the Water and Sewer Department's Water System	May 13, 2015 received executed contracts from Hazen and Sawyer, P.C. Pending Contract Award Approval to Hazen and Sawyer, P.C. (Under the Cone of Silence)
Yes	S-868 – Consent Decree Project Various Commission Districts Two Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains	Bid submittal extended to May 14, 2015 (Under the Cone of Silence)

Yes	W-930 Commission District 9 South Miami Heights Water Treatment Plant Injection Well System Upper Floridan Aquifer	Extended Bid Openings May 12, 2015 (Under the Cone of Silence)
No	Project Number E15-WASD-09 Professional Services Agreement No. 15CEPC001 to Carollo Engineers, Inc. for the Northwest Wellfield Water Treatment Plant (re-use pf plans) in connection to the Groundwater Under Direct Influence	Preparing Review Item to be submitted to Small Business Development (SBD)
Yes	Project No. E15-WASD-10 Proposed Upgrades to the Central District Wastewater Treatment Plant and its Appurtenant Facilities including Pump Station 1 and 2 Project No. E15-WASD-11 Proposed Upgrades to the North District Wastewater Treatment Plant and its Appurtenant Facilities Project No. E15-WASD-12 Proposed Upgrades to the South District Wastewater Treatment Plant and Appurtenant Facilities	Pending Internal Services Department (ISD) Review for Comments

Exhibit B

The Fiscal Year-to-Date (FYTD) Expenditures for the month of April 2015 total $128,660,000 as compared to the March 2015 FYTD Expenditures which total $105,442,000. The $23,218,000 increase in the FYTD Expenditures from March 2015 to April 2015 includes a March 2015 reconciling item in the amount of $3,644,000 that was not recorded at the time the March report was released.

Exhibit C

Consent Decree Project Number	**Description of Project**	**Summary of Changes**
1.2	Oxygen Production	Actual Start Date - April 9, 2015
1.8	Dewatering Facility	Actual Start Date - April 13, 2015

2.22	Pump Station 2	Actual Start Date - April 16, 2015
2.24	Gas Monitoring	Actual Start Date - April 13, 2015
2.27	Oxygen Production	Actual Start Date - April 16, 2015
4.02	Government Cut FM - Phase 1& 2	Actual costs increased by $18,564.77 - Charge on April 2, 2015 for $18,534.20 for Task Number #10 (PO # 107818 - additional services for combining the force main and water main replacement contract specifications and procurement services); and $30.57 for G&A Overhead
4.8	Rehabilitation of 54 inch PCCP FM in the City of Miami	Actual Start Date - March 12, 2015
5.10	Upgrade of PS#0488	Actual Start Date - April 3, 2015

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
1 9	Yes	E14-WASD-03 *Various Commission Districts* Professional engineering services relating to the operations and maintenance of the Water and Sewer Department's water system	$11,000,000 Operating Revenues	Review Item Sent 7/25/2014 Received Item 8/14/2014 32% A/E 1% G/S	Request for Qualifications/ Negotiations	9/29/2014	10/8/2014	2/9/2015 2/23/2015	N/A	COS 1/27/2015 Received Mayor's approval on Competitive Selection Committee approval 3/10/2015 Received Mayor's Approval to Negotiate with Hazen and Sawyer P.C. 4/1/2015 First Negotiation Meeting 5/13/2015 Received executed contracts from Hazen and Sawyer, P.C. Pending Contract Award Recommenda-tion Approval

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
Summary of Minimum Experience & Qualifications:										
• The Prime Consultant must be an engineering firm experienced in all phases of water engineering with particular expertise on the operation and maintenance of water treatment plants and transmission/distribution systems and have at least one successful project in which it has provided such services for a major utility of similar size within the past ten years from the date of solicitation.										
2 7	Yes	E14-WASD-02 *Various Commission Districts* Professional Cost Estimating and Scheduling Services	$11,000,000 with a $5,000,000 Option-to-Renew Operating Revenues	Review Item Sent 10/30/2014 Received item 11/15/2014 30.05% A/E .05% G/S	Request for Qualifications/ Negotiations	12/15/2014	12/22/2014	3/9/2015 N/A	N/A	COS 2/20/2015 Competitive Selection Committee approval 4/20/2015 First meeting to negotiate with Atkins North America, Inc. 4/24/2015 Second Negotiation meeting Pending County Attorney's Approval Contract Award Recommenda-tion to Atkins North America, Inc.
Summary of Minimum Experience & Qualifications: • The Prime Consultant must have five years of experience in providing cost estimating and scheduling services. • The Prime and/or the Sub-consultants must have completed one cost estimating or scheduling project, in excess of $500,000,000.										

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
3	Yes	DB14-WASD-05 *Commission District 3* Design-Build Services for Furnishing and Installing a 48-inch Force Main along North Miami Avenue from N.W. 8 Street along to 36 Street and along N.E. 36 Street from North Miami Avenue to N.E. 2 Avenue	$21,000,000 9650241 Central Miami-Dade Wastewater Transmission Mains and Pump Station	Review Item Sent 12/23/2014 Proposed 17.5% A/E .25% G/S 11.2% Construction Received item 2/13/2015 22% A/E 8.57% Construction 0.25% G/S	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	3/20/2015	3/26/2015	TBD	TBD	COS 5/4/2015 Extended Proposal submittal deadline Pending Competitive Selection Committee Approval
Summary of Minimum Experience & Qualifications: • The Lead Constructor must have three force main projects in an urban environment with a minimum of 10,000 linear feet of installation and minimum 42-inch nominal diameter. • The Lead Designer must have designed three pressure pipeline installation projects in an urban environment with a minimum of 10,000 total linear feet of installation and minimum 42-inch nominal diameter. • Sub-consultants must have designed three projects within the past ten years.										
4	Yes	DB14-WASD-03 *Various Commission Districts* ***(includes Consent Decree project)*** Design-Build Criteria Package for the Proposed	$69,300,000 9653311 Water Distribution System Enhancement	Review Item Sent 12/30/2014 Proposed 15% A/E .25% G/S 7.20% Construction Received item	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	3/20/2015	3/27/2015	TBD	N/A	COS 4/24/2015 Proposal submittal Pending Competitive Selection Committee approval

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
		48-inch Diameter Water Transmission Main for Area "N"		2/6/2015 21% A/E 7.20% Construction 0.18% G/S						

Summary of Minimum Experience & Qualifications:

- The Lead Construction firm performing the open cut installation work must have a minimum of four years total industry experience from the date of this solicitation. It also must have successfully constructed at least three pressure pipeline projects.
- The Lead Designer firm performing the design must have designed at least three pressure pipeline installation projects in an urban environment consisting of a minimum of 10,000 total linear feet of minimum 42-inch nominal diameter within the last ten years from the date of this solicitation.
- The Lead Designer firm or its sub-consultant performing the design of the micro-tunnel(s) must have designed at least three micro-tunneling projects consisting of jacking a similar casing pipe as proposed for this project.

5	Yes	RTQ-00103 *Various Commission Districts* ***(including Consent Decree Projects)*** Protective Coating Services	$48,000,000 Proprietary Revenues	Proposing SBE Trade Set-Aside for Site Preparation Contractors CWP Goal 10% also Responsible Wages-Heavy Construction	Pre-Qualification Pool	1/13/2015	N/A	N/A	TBD	COS 4/23/2015 Approval Bid Award Recommenda-tion Construction Affairs, Inc. Pool & Kent Company of Florida Southland Painting Corp.

Summary of Minimum Experience & Qualifications:

- Submitter must hold a valid General Contractor's License, Building Specialty - Painting License, or a Building Specialty - Waterproofing License and shall submit a copy of the license with its submittal.

6	Yes	S-868 *Various Commission Districts*	$6,517,350 968150 – Wastewater	A/E: N/A Construction 27%	Invitation to Bid to the lowest responsive,	1/27/2015	3/5/2015	N/A	Tentative April May	COS

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
		(***Consent Decree Project***) Two Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains	Collection and Transmission Lines - Consent	CWP: N/A	responsible bidder					Bid submittal extended to 5/14/2015
Summary of Minimum Experience & Qualifications: • One of the following licenses is required: State General Contractor, General Engineering Contractor, and/or other category as applicable to Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.										
7	Yes	W-930 South Miami Heights Water Treatment Plant Deep Injection Well System and Upper Floridan Test Production Well	$18,700,000	A/E: N/A Construction: 7.27% CWP: 10%	Invitation to Bid to the lowest responsive, responsible bidder	3/25/2015	4/2/2015	N/A	N/A	COS 3/25/2015 Project advertised 4/2/2015 Pre-Bid meeting 5/12/2015 Extended Bid Openings
Summary of Minimum Experience & Qualifications: r` • One of the following licenses is required: State General Contractor, General Engineering Contractor, State of Florida Drillers License and/or other category as applicable to Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.										

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
8	Yes	DB14-WASD-09 *Various Commission Districts* Design-Build Services for Installation of a 36-inch Diameter Sanitary Sewer Force Main located at 107 Avenue between N.W. 7 Street to N.W. 25 Street	$8,000,000 9653371 Peak Flow Management Facilities	Review Item Sent 3/13/2015 13% A/E .2% G/S 8.3% Construction Received item 3/24/2015 20% A/E .2% G/S 8.% Construction 10% CWP	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	4/27/2015	4/30/2015	TBD	TBD	COS 4/27/2015 Project Advertised May 27,2015 Proposals Submittal deadline
Summary of Minimum Experience & Qualifications: • The Lead Construction firm must have successfully constructed at least three pressure pipeline projects of similar size and complexity in an urban environment consisting of a minimum of 10,000 combined total linear feet of installation and minimum 36-inch nominal diameter pipe. • The Lead Designer firm performing the design must have at least three pressure pipeline projects in an urban environment consisting of a minimum of 10,000 total linear feet of minimum 36-inch nominal diameter. • The Lead Designer or their Subconsultant firm performing design for the shaft(s) shall have designed one shaft project to support a trenchless construction operation.									
9	Yes	DB14-WASD-08 *Commission District 7* Alexander Orr Water Treatment Plant Drinking Water Laboratory	$7,100,000 9650031 Water Treatment Plant-Alexander Orr, Jr. Expansion	Review Item Sent 4/8/2015 Review Item Sent 4/9/2015 Proposing 38% A/E 1.1% G/S	Step 1 – Evaluation of Qualifications Step 2 – Evaluation of Technical and Price Proposal	TBD	TBD	TBD	TBD	Pending Request to Advertise Approval

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
				45.1% Construction Received item 5/4//2015 42.58% A/E 1.3% G/S 41.55% Construction	(lowest adjusted bid)					
12	Summary of Minimum Experience & Qualifications: • The Lead Constructor must have five years total industry experience and must have constructed at least one laboratory project of similar size and complexity in an urban environment. A minimum total of 4,800 square feet of such laboratory installation. • The Lead Constructor firm performing the construction of the water laboratory shall have built at least one laboratory with microbiology, wet chemistry, gas chromatography, and laboratory sampling receiving and chain of custody transfer of chemicals in similar water laboratory within the last ten years from the date of this solicitation. • The Lead Designer firm performing the design of the laboratory installation must have minimum ten years total industry experience and must have designed at least one laboratory installation project in an urban environment consisting of a minimum of 4,800 total square feet of laboratory construction.									
10	Yes	DB14-WASD-06 *Commission District 9* Design-Build Services for the Replacement of Water Mains and Service Conversions in the South Miami Heights Area (A)	$25,000,000 965331 Water Distribution System Extension Enhancement	Draft sent 3/6/2015 Review Item Sent 3/23/2015 Proposing 20% A/E 16% Construction 12.4% CWP .25% G/S Received item 4/3/2015	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	5/4/2015	TBD	TBD	TBD	COS 5/4/2015 Project Advertised 5/12/2015 Project Briefing 6/10/2015 Deadline to Submit Proposals

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
				25% A/E 11.56% Construction % CWP .25% G/S						
Summary of Minimum Experience & Qualifications: • The Lead Constructor must have constructed at a minimum one water main project in an urban environment with a minimum of 50,000 linear feet of installation and minimum 8-inch nominal diameter. • The Lead Designer must have designed five water main installation projects in an urban environment with a minimum of 10,000 linear feet of minimum 8-inch nominal diameter. • Sub-consultants must demonstrate to have designed three projects within the last ten years from this date solicitation.										
11	Yes	DB14-WASD-07 *Commission District 9* Design-Build Services for the Replacement of Water Mains and Service Conversions in the South Miami Heights Area (Phase B)	$26,000,000 965331 Water Distribution System Extension Enhancement	Draft Sent 3/6/2015 Review Item Sent 3/23/2015 Proposing 20% A/E 16% Construction 12.4% CWP .25% G/S Received 4/3/2015 25% A/E 12.01% Construction 12.4% CWP .25% G/S	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	5/4/2015	TBD	TBD	TBD	COS 5/4/2015 Project Advertised 5/12/2015 Project Briefing 6/10/2015 Proposal Submittal Deadline

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
				10.00% CWP						

Summary of Minimum Experience & Qualifications:

- The Lead Constructor must have constructed five water main projects in an urban environment with a minimum of 50,000 linear feet of installation and minimum 8-inch nominal diameter.
- The Lead Designer must have designed five water main installation projects in an urban environment with a minimum of 10,000 linear feet of minimum 8-inch nominal diameter.
- Sub-consultants must demonstrate to have designed three projects within the last ten years from this date solicitation.

12	Yes	W-931 Furnish & Install 36-Inch Duct Iron Water Transmission Main along S.W. 152 Street from S.W. 137 Avenue to S.W. 112 Avenue	$12,300,000	A/E: N/A CSBE: TBD CWP: TBD	Invitation to Bid to the lowest responsive, responsible bidder	TBD	TBD	TBD	TBD	Pending SBD Goal Determination

Summary of Minimum Experience & Qualifications:

One of the following licenses is required: State General Contractor, General Engineering Contractor, State of Florida Drillers License and/or other category as applicable to Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
PROJECTS TO BE ADVERTISED WITHIN 90 DAYS										
13	Yes	DBOF14-WASD-01 *Commission District 8* Design-Build Operate-Finance for the South Miami Heights Water Treatment Plant Program	TBD	TBD	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	TBD	TBD	TBD	TBD	Documents under development
14	Yes	E15-WASD-01 *Various Commission Districts* Design of Upgrades for Water Transmission And Sanitary Sewer Force mains And Sanitary Sewer Gravity Interceptors	Four (4) agreements in total $6,000,000 each	Proposing 25% A/E	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
15	Yes	E15-WASD-02 *Various Commission Districts* Design of Upgrades for Wastewater Pump Stations	Six (6) Agreements in total $2,000,000 each Four (4) agreements $3,000,000 each	Proposing 1 Tier SBE Set-Aside 2 Tier A/E Set-Aside	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development
16	Yes	E15-WASD-03 *Various Commission Districts* Design of Upgrades for Water Distribution and Sanitary Sewer Force Mains and Collection Systems	Five (5) Agreements $2,000,000 Four Agreements $3,000,000 each Three (3) Agreements $4,000,000 each	Proposing 1 Tier SBE Set Aside 2 Tier A/E Set-Aside 35% A/E .05% G/S	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
17	Yes	E15-WASD-04 *Various Commission Districts* Design of Upgrades for Regional Wastewater Pump Stations	$8,000,000	Proposing 25% SBE .05% G/S	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development
18	Yes	E15-WASD-05 *Various Commission Districts* Engineering and Related Services for Development of a Master Plan and System Improvements to Miami-Dade Water and Sewer Department's SCADA System	$3,000,000	Proposing 15% A/E .05% G/S	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
19	Yes	E15-WASD-06 *Various Commission Districts* Wastewater Treatment Plants and Related Facilities Design of Upgrades for Wastewater Treatment Plants	$20,000,000	Proposing 20% A/E .05% G/S	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development
20	Yes	E15-WASD-07 *Various Commission Districts* Architectural and Related Services at Various WASD'S Buildings and Facilities	One (1) Agreement $2,000,000 One (1) Agreement $3,000,000	Proposing 1 Tier A/E Set Aside 2 Tier A/E Set-Aside	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development
21	Yes	E15-WASD-08 *Various Commission Districts* Design of Upgrades for Water Treatment Plants and Related Facilities	$10,000,000	Proposing 20% A/E .05% G/S	Request for Qualifications/ Negotiations	TBD	TBD	TBD	TBD	Documents under development

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
22	Yes	E15-WASD-10 E15-WASD-11 E15-WASD-12 *Various Commission Districts* Proposed Upgrades to Miami-Dade Wastewater Treatment Plants	Three (3) Agreements $8,000,000 each	Proposing 35% A/E .25% G/S	Request for Qualifications/ Negotiations	TBD	TBD	TBD	N/A	Pending ISD Review for Comments
23	No	E15-WASD-09 Professional Services Agreement No. 15CEPC001 to Carollo Engineers, Inc. for the Northwest Wellfield Water Treatment Plant (re-use of plans) in connection to the Groundwater Under Direct Influence	$7,000,000	Proposing 35% A/E .25% G/S	BCC Approval	N/A	N/A	N/A	TBD	Preparing Review Item to be submitted to SBD

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
AWARDED CONTRACTS										
24 20	No	S-866 *Various Commission Districts* ***(Consent Decree)*** Two Year Countywide Contract for Rehabilitation of Sanitary Sewers by the Cured-In-Place Pipe Lining Method	$6,100,050 968150 – Wastewater Collection and Transmission Lines - Consent	A/E: N/A Construction: No measure due to insufficient availability CWP: N/A	Invitation to Bid to the lowest responsive, responsible bidder	7/10/2014	7/22/2014	N/A	4/14/2015 5/5/2015	5/5/2015 BCC Approved Insituform Technologies R-416-15
25	No	W-927 *Commission District 10* Southwest Wellfield Middle Lagoon Removal of Calcium Carbonate	$13,590,050 Water Operating Revenues	Construction 5.70%	Invitation to Bid to the lowest responsive responsible bidder	12/3/2014	12/11/2014	N/A	4/14/2015 5/5/2015	5/5/2015 BCC Approved Lanzo Construction, Co., Florida, Inc. R-415-15

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
26	No	E14-WASD-01 *Various Commission Districts* Engineering and Geological Services Water, Wastewater and Reclaimed Water Planning Services	$7,700,000 Operating Revenues	Review Item Sent 3/25/2014 Received 4/16/2014 Revised item 6/4/2014 Received 6/11/2014 30% A/E	Request for Qualifications/ Negotiations	7/30/2014	8/11/2014	11/13/2014 N/A	April BCC Ratification	3/17/2015 Mayor Approved Contract Award recommendation Tetra Tech, Inc. April 21 BCC ratification approval R-286-15
27	No	DB14-WASD-01 *Commission Districts 2* **(Consent Decree Project)** Design-Build Services for Replacement/ Rehabilitation of 72-inch Sanitary Sewage Force Main along NW/NE 159th Street Between Northwest 17th Avenue and N.E. 10th Avenue for the 72-inch Force Main	$16,746,672 968750 Wastewater Pipes and Infrastructure Projects	Draft Review Item Sent 2/18/2014 Final item Sent 3/11/2014 Received 4/3/2014 15.50% CSBE 30% SBE 10% CWP	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	5/2/2014	5/9/2014	7/22/2014 9/25/2014	12/16/2014 BCC approved emergency item R-1119-14	3/2/2015 Mayor approved Ric-Man Construction Florida, Inc. April 21 BCC ratification approval R-286-15

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
28 22	No	DB13-WASD-03 *Commission District 5* Design-Build Services for the Replacement of Water Mains and Service Conversions in the Shenandoah Area in the City of Miami Phase A	$11,326,347 9653311 Water Distribution System Extension & Enhancement	Review Item Sent 11/20/2013 Received 1/14/2014 26%A/E 20% Construction 12.40 CWP	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	4/11/2014	4/17/2014	7/23/2014 10/15/2014	1/13/2015 2/3/2015 Deferred Item 2/18/2015	2/18/2015 BCC approved Lanzo Construction Co., Florida, Inc. R-172-15
29	No	E13-WASD-10 *Various Commission Districts* Engineering services for Design of Upgrades for Water Distribution & Transmission and Sanitary Sewage Collection & Trans. Systems	Two (2) agreements $5,500,000 each Various Projects	Review Item Sent 1/27/2014 Received 2/19/2014 25%	Request for Qualifications/ Negotiations	4/15/2014	4/22/2014	7/18/2014 N/A	1/13/2015 2/3/2015	2/3/2015 BCC approved King Engineering Associates, Inc. R-115-15 2/3/2015 BCC approved A & P Consulting Transportation Engineers, Corp. R-115-15

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
30	No	DB13-WASD-04 *Commission District 5* Design-Build Services for the Replacement of Water Mains and Service Conversions in the Shenandoah Area in the City of Miami Phase B	$9,756,000 9653311 Water Distribution System Extension & Enhancement	Review Item Sent 11/20/2013 Received 1/14/2014 26% SBE 20% CSBE 12.40 CWP	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	4/11/2014	4/17/2014	7/23/2014 10/21/2014	1/13/2015 2/3/2015	2/3/2015 BCC Approved Lanzo Construction Co., Inc. R-117-15
31	No	E13-WASD-04 *Various Commission Districts* **(Consent Decree Project)** Design Services for Wastewater Collection & Transmission System related to the Consent Decree Projects	$44,000,000 968150 Wastewater Collection Transmission Lines	Review Item Sent 10/1/2013 Received 10/24/2013 30% SBE	Request for Qualifications/ Negotiations	2/12/2014	6/2/2014	9/2/2014 9/16/2014	12/15/2014 Committee Waiver Requested 12/16/2014	12/16/2014 BCC approved HDR Engineering, Inc. R-1118-14
32	No	E13-WASD-05 *Various Commission Districts* **(Consent Decree Project)** Design Services for Wastewater Treatment Plant	$66,000,000 964120 Wastewater Treatment Plants	Review Item Sent 11/5/2013 Received 11/18/2013 30% SBE	Request for Qualifications/ Negotiations	2/12/2014	6/2/2014	7/31/2014 8/11/2014	12/15/2014 Committee Waiver Requested 12/16/2014	12/16/2014 MWH Americas, Inc. R-1120-14

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
		related to the Consent Decree Projects								
33	No	E13-WASD-06 *Various Commission Districts* **(Consent Decree Project)** Engineering Services for Capacity, Management, Operations & Maintenance Program related to the Consent Decree Projects	$16,500,000 Operating Revenue	Review Item Sent 10/1/2013 Received 11/7/2013 32% SBE	Request for Qualifications/ Negotiations	2/12/2014	6/2/2014	7/30/2014 N/A	12/15/2014 Committee Waiver Requested 12/16/2014	12/16/2014 BCC approved Woolpert, Inc. R-1117-14
34	N/A	S-869 *Commission District 7* **(Ocean Outfall Legislation Project)** Central District Wastewater Treatment Plant - Industrial Waste Deep Injection Well System	$19,887,887 9653421-Central District Upgrades - Wastewater Treatment Plant	SBE: N/A CSBE: No measure due to insufficient availability CWP: N/A	Invitation to Bid to the lowest responsive, responsible bidder	5/8/2014	5/21/2014	N/A	8/29/2014 10/21/2014	10/21/2014 BCC approved Youngquist Brothers, Inc. R-935-14
35	N/A	E13-WASD-11 *Various Commission Districts* Owner's Representative for Engineering	$139,394,748 962670 Outfall Legislation	Review item Sent 3/3/2014 Received 3/26/2014 28% SBE	Request for Qualifications/ Negotiations	4/24/2014	6/2/2014	7/29/2014 8/14/2014	N/A 10/21/2014	10/21/2014 BCC approved CH2M Hill, Inc. R-936-14

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
		Services for **Ocean Outfall Legislation**								
36	N/A	E13-WASD-07 *Various Commission Districts* **(Consent Decree Project)** Geographic Information Systems Utility Backlog	$9,900,000 Operating Revenues	Review Item Sent 10/1/2013 Received 10/24/2013 20% SBE	Request for Qualifications/ Negotiations	12/9/2013	12/18/2013	4/11/2014 5/12/2014	7/8/ 2014 7/15/2014	7/15/2014 BCC approved Woolpert, Inc. R-674-14
37	N/A	E13-WASD-03 *Various Commission Districts* Design Services for the Implementation of Pump Station Improvement Program	Five (5) Agreements $3,300,000 each 9651071 Pump Station Improvement Program	Review Item Sent 8/26/2013 Received 9/13/2013 40% SBE each	Request for Qualifications/ Negotiations	1/17/2014	1/28/2014	4/21/2014 N/A	7/8/ 2014 7/15/2014	715/2014 BCC approved King Engineering Associates, Inc. R-677-14 Stantec Consulting Services, Inc. R-675-14 CES Consultants, Inc. R-676-14 A&P Consulting Transportation Engineers, Inc. R-673-14 Milian, Swain & Associates, Inc. R-672-14

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
38	N/A	DB12-WASD-01 **(Consent Decree Project)** Design-Build services for the replacement of the existing 54-inch sanitary sewage force main from the Central District Wastewater Treatment Plant to Fisher Island, under Norris Cut Channel	$72,101,600	Review Item Sent 1/1720/13 Received 2/1/2013 10.9% CSBE 22% SBE	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	2/26/2013	3/8/2013	4/17/2014 6/26/2013 reconvened 7/03/2013	12/10/13 12/17/13	12/17/2013 BCC approved Nicholson Construction Company R-1060-13
39	N/A	DB13-WASD-01 *Commission District 5* **(Brickell Basin Project)** Design-Build Services for Gravity Sewer Interceptors for Pump Station No. 3	$12,107,000 9653371 Peak Flow Management Facilities	Review Item Sent 7/26/2013 Received 7/31/2013 17.5% SBE 11.2% CSBE	Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal (lowest adjusted bid)	8/22/2013	8/30/2013	10/8/2013 12/11/2013	2/11/2014 2/19/2014 Waiver approved	2/19/2014 BCC approved Ric-Man Construction, Inc. R-174-14

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
40	N/A	S-852 *Commission District 5* **(Brickell Basin Construction** Project) Proposed Master Pump Station No. 3	$21,976,500 9653371 Peak Flow Management Facilities	2.59% CSBE	Invitation to Bid to the lowest responsive, responsible bidder	6/27/2013	Pre-Bid Conference 7/16/2013	N/A	N/A 2/19/2014	2/19/2014 BCC approved Poole & Kent Company R-173-14
41	N/A	Expression of Interest (EOI) Public-Private Partnership N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2/14/2014 31 responses received for EOI
42	N/A	E13-WASD-02-R *Various Commission Districts* Program and Construction Management Services for the Implementation of a Pump Station Improvement Program	$17,600,000	Review Item Sent 5/20/2013 Received 5/20/2013 29% SBE	Request for Qualifications/ Negotiations	6/6/2013	6/12/2013	10/22/2013 11/7/2013	12/10/13 12/17/13	12/17/2013 BCC approved Nova Consulting, Inc. R-1061-13
43	N/A	E12-WASD-03 *Various Commission Districts* Program Management Consultant and related services to establish a Comprehensive	$2,200,000 967190 Water/Pipes and Infrastructure Projects	Review Item Sent 9/18/2013 Received 10/19/2013 25% SBE	Request for Qualifications/ Negotiations	3/29/2013	4/4/2013	9/24/2013 10/23/2013 Committee reconvening 12/4/2013	4/ 9/2014 5/6/2014	5/6/2014 BCC approved Lockwood Andrews & Newnam, Inc. R-432-14

Exhibit A Water & Sewer Infrastructure Projects in Procurement – May 2015

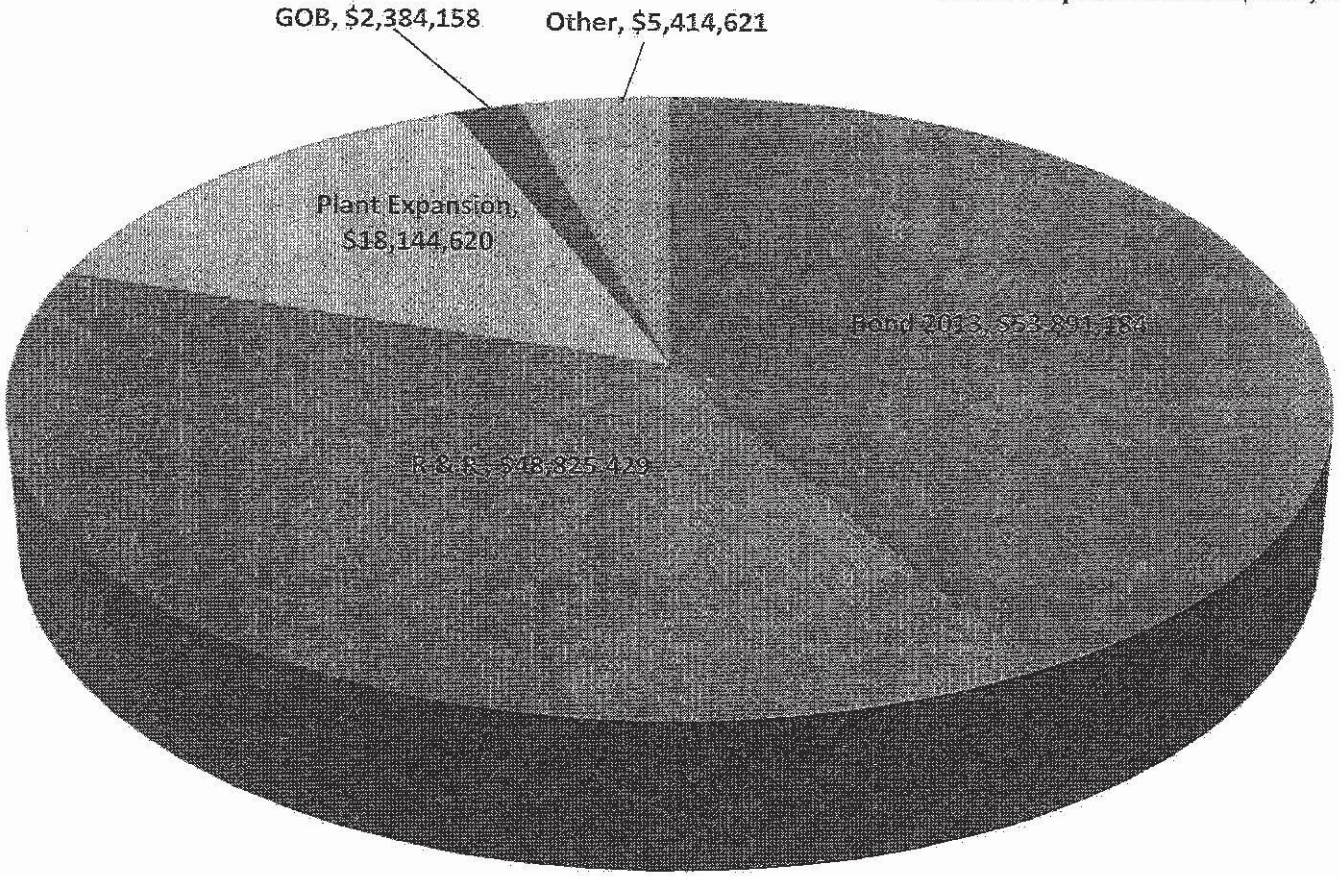
	Accelerate Ordinance No. 14-77 Yes/No	ISD Project No. & Project Description & Commission Districts	Contract Amount (000's) & OMB Project No.	ISD Review SBE Goal (Small Business Enterprise) Architectural/ Engineering (A/E), Construction, Goods & Services (G/S)	Proposed Method of Award	Advertisement (Start Date) Cone of Silence Begins	Industry Pre-Submittal Conference (Project Briefing)	First Tier/Step 1 Selection Second Tier/ Step 2 Selection Oral Presentation	BCC Committee Meeting BCC Meeting Date	Firms Awarded, Status and Comments * Projects Under the Cone of Silence (COS)
28		Infrastructure Assessment and Replacement Program for Water Transmission and Distribution Mains including Preparation of Condition Evaluations, Forensic Analysis, Risk Assessments and Renewal Option Protocols								
44	N/A	E13-WASD-01-R *Various Commission Districts* **(Consent Decree Project)** Program and Construction Management Services related to the Wastewater Systems Priority Projects	$91,000,000	Review Item Sent 5/20/2013 Received 5/20/2013 28% SBE	Request for Qualifications/ Negotiations	6/6/2013	6/12/2013	8/14/2013 8/28/2013	N/A 5/20/2014	5/20/2014 BCC approved AECOM Technical Services, Inc. R-469-14

The draft solicitations are posted on Internal Services Department's webpage at http://www.miamidade.gov/procurement/solicitations.asp and Small Business Development's webpage at http://www.miamidade.gov/business/contracting-opportunities-architecture-engineering.asp for industry review and comments prior to advertisement.

Exhibit B

April FYTD Expenditures by Fund
Preliminary Data as of 5/4/15

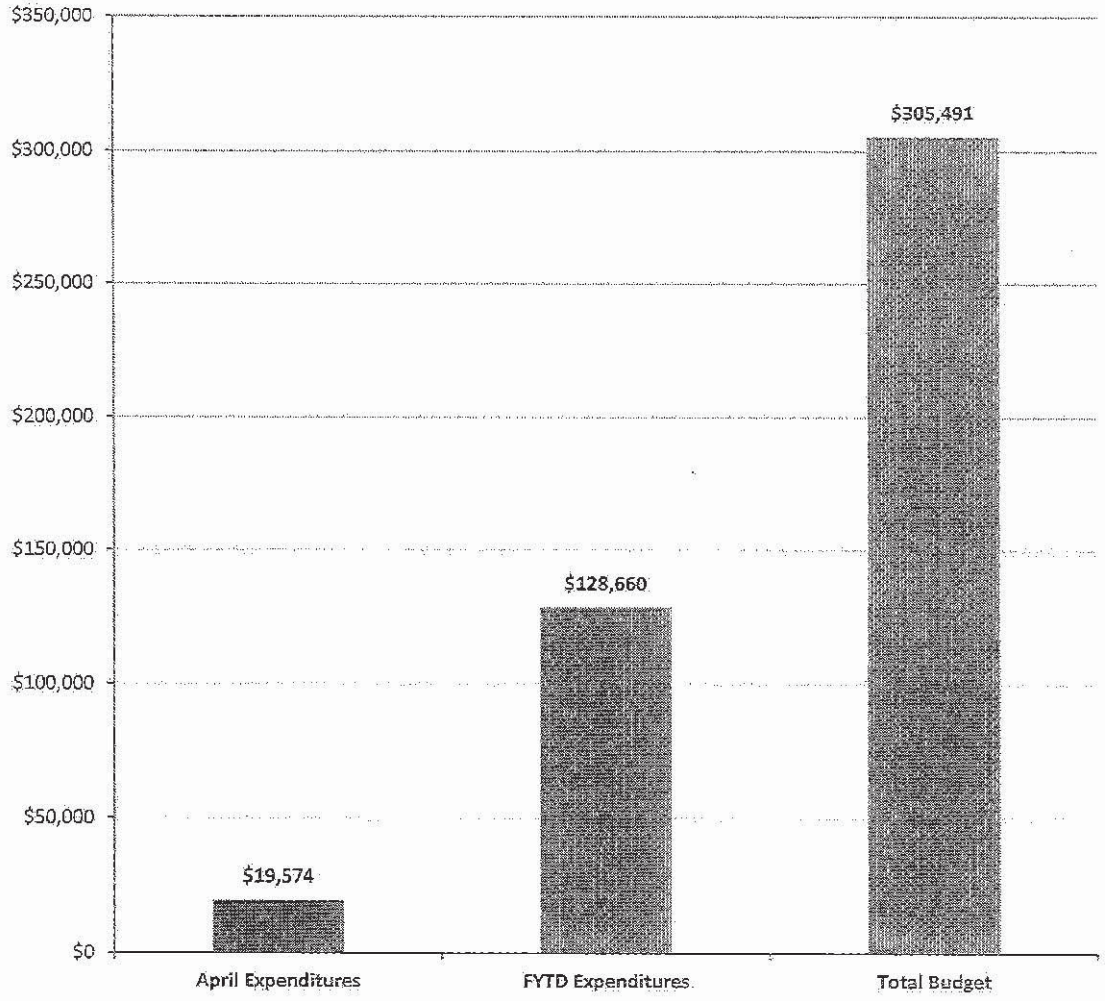
Total Expenditures:$128,660,011



Note: The April 2015 preliminary Capital Expenditures for the Miami-Dade Water and Sewer Department are $19,573,775. Due to timing of monthly BCC report deadline and WASD's monthly closing schedule, differences in the cumulative total expenditures from month to month can result. The current cumulative expenditure is $128,660,011.

Exhibit B

Fiscal Year 14-15 FYTD vs. Budget (000,s)
April Expenditures



Note: The April 2015 preliminary Capital Expenditures for the Miami-Dade Water and Sewer Department are $19,573,775. Due to timing of monthly BCC report deadline and WASD's monthly closing schedule, differences in the cumulative total expenditures from month to month can result. The current cumulative expenditure is $128,660,011.

EXHIBIT C

Status of Consent Decree Projects for May 2015

Overall Regulatory Project Completion Date - 9/27/2027

Sewer Facility	Consent Decree Project No.	Capital Project Name	Consent Decree Project Cost Estimate, App. D	Actual Costs	Project Estimated Start Date	Actual Start Date	Actual Completion Date	Regulatory Completion Date	Remarks
South District WWTP	1.1	Headworks	728,343		4/4/2015	2/2/2015		2/23/2020	Screen Replacement at South District Headworks has commenced. Completion date can be met at this time.
	1.2	Oxygen Production	7,549,529		1/1/2015	4/9/2015		9/13/2019	Design being prepared by R&R consultant. Completion date can be met at this time.
	1.3	Oxygenation Trains	18,121,319		11/1/2016			11/16/2025	
	1.4	Chlorine Building	2,520,707		6/4/2018			6/1/2022	
	1.5	Effluent Pump Station	27,010,183		9/1/2016	11/19/2013		4/7/2022	
	1.6	Gravity Sludge Thickeners	5,246,274		7/3/2014	7/3/2014		9/24/2022	
	1.7	Digesters and Control Buildings	48,532,291		11/1/2013	7/3/2014		10/28/2021	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	1.8	Dewatering Facility	16,608,534		10/22/2014	4/13/2015		11/28/2019	Design/Build package being prepared by Consent Decree Design Consultant. Completion date can be met at this time.
	1.9	FOG Removal Facility	928,077		11/1/2013	7/8/2014		12/7/2017	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	1.10	Odor Control	8,130,067		6/4/2018			4/25/2023	
	1.11	General Electrical	12,165,144		5/5/2016			3/26/2021	
	1.12	Chlorine Contact Chamber Structural	6,935,601		8/1/2016			6/18/2021	
		Subtotal:	**154,476,068**						
Central District WWTP	2.1	Electrical Improvements	28,392,361		6/5/2017			3/6/2020	
	2.2	Building improvements	5,673,576		3/26/2014	3/26/2014		9/6/2017	
	2.3	Headworks Plant 1	20,637,859		9/1/2014	10/6/2014		10/22/2017	Basis of Design Report being prepared by Design Consultant. Completion date can be met at this time.
	2.4	Headworks Plant 2	20,891,336		9/1/2014	10/6/2014		5/22/2018	Basis of Design Report being prepared by Design Consultant. Completion date can be met at this time.
	2.5	Oxygenation Trains Plant 1	6,882,836		3/1/2011	3/1/2011		4/15/2018	
	2.6	Oxygenation Trains Plant 2	15,957,546		3/1/2011	3/1/2011		4/14/2022	
	2.7	Secondary Clarifiers Plant 1	4,919,245		10/3/2020			8/15/2026	
	2.8	Secondary Clarifiers Plant 2	7,242,220		9/4/2016			9/12/2023	
	2.9	RS Pump Stations Plant 1	9,441,453		10/3/2020			8/15/2026	
	2.10	RS Pump Stations Plant 2	14,310,201		9/5/2015			9/12/2023	
	2.11	Effluent Pump Station	9,926,072		7/5/2016			5/9/2020	
	2.12	Sludge Thickeners Plant 1	11,156,240		10/3/2016			4/23/2021	
	2.13	Sludge Thickeners Plant 2	9,552,318		6/11/2014	6/11/2014		10/23/2019	
	2.14	Digesters Plant 1	60,684,546		11/3/2019			1/19/2026	
	2.15	Digesters Plant 2	122,761,868		6/11/2014	6/11/2014		8/19/2022	
	2.16	Dewatering Building	99,952,854		6/1/2016			8/7/2021	
	2.17	Chlorination Facilities	16,713,956		10/1/2013	10/1/2013		9/29/2017	Basis of Design Report to be completed by Consent Decree PMCM consultant. Completion date can be met at this time.
	2.18	Odor Control Systems	20,208,323		7/3/2016			7/9/2020	
	2.19	Co-Gen Facility	30,311,204		11/22/2012	11/22/2012		3/31/2019	
	2.20	Septage Unloading	29,061,616		11/1/2018			6/3/2022	
	2.21	Pump Station 1	11,575,513		4/4/2016			10/23/2019	
	2.22	Pump Station 2	5,371,361		10/1/2014	4/16/2015		10/22/2017	Basis of Design Report being prepared by Design Consultant. Completion date can be met at this time.
	2.23	O2 Plant Process Controls Phase 2	482,909		10/1/2013	10/1/2013		3/9/2017	
	2.24	Gas Monitoring	334,913		3/7/2015	4/13/2015		9/19/2017	Engineering Assesment Report being prepared by Design Consultant. Completion date can be met at this time.
	2.25	Ventilation Improvements	2,766,973		7/5/2020			2/27/2025	
	2.26	Rehabilitation of Walkways and Stairways	2,685,405		10/1/2013	10/1/2013		9/27/2027	

EXHIBIT C

Status of Consent Decree Projects for May 2015

Overall Regulatory Project Completion Date - 9/27/2027

Sewer Facility	Consent Decree Project No.	Capital Project Name	Consent Decree Project Cost Estimate, App. D	Actual Costs	Project Estimated Start Date	Actual Start Date	Actual Completion Date	Regulatory Completion Date	Remarks
	2.27	Oxygen Production	26,503,191		1/1/2015	4/16/2015		12/30/2019	Basis of Design Report being prepared by Design Consultant. Completion date can be met at this time.
	2.28	SCADA RTU Upgrades	396,000	313,397	10/1/2013	10/1/2013	2/10/2014	3/29/2014	Completed
	2.29	High Strength Influent Impact Study	1,544,400	1,042,081	2/12/2013	2/12/2013	6/5/2014	6/24/2014	Completed
		Subtotal:	**596,338,296**						
North District WWTP	3.1	Headworks and Sludge Degritting Transfer	31,777,875		3/20/2013	3/20/2013		4/7/2018	
	3.2	Primary Clarifiers and Odor Control	47,630,971		5/5/2015	9/3/2014		4/18/2021	
	3.3	Oxygenation Trains	26,824,143		1/1/2019			1/17/2024	
	3.4	Oxygen Production	7,139,589		1/1/2020			1/12/2024	
	3.5	Secondary Clarifiers	81,645,502		12/1/2018	8/28/2014		8/24/2027	
	3.6	Disinfection	18,721,749		4/21/2014	4/21/2014		9/9/2020	
	3.7	Effluent Disposal	27,500,829		8/5/2014	8/12/2014		12/28/2021	
	3.8	Plant Wide Electrical	18,859,689		5/21/2014	5/1/2014		8/20/2022	
	3.9	Flood Mitigation	4,327,589		4/21/2014	5/1/2014		8/13/2017	
	3.10	Yard Piping Replacement	4,901,560		11/1/2015			12/4/2021	
	3.11	SCADA RTU Upgrades	1,200,320	891,588	10/1/2013	9/30/2013	11/26/2014	3/24/2015	Completed
		Subtotal:	**270,529,817**						
Wastewater Collection and Transmission Lines	4.1	Collection System I/I Repairs	138,538,762		10/1/2013	10/1/2013		9/27/2027	
	4.2	Government Cut FM - Phase 1& 2	35,187,000	94,795,488	10/1/2012	10/1/2011	9/30/2013	9/30/2013	This project started on 03/23/2009, at the time, this project was not a Consent Decree project.This project became a Consent Decree project on October 1, 2012 while the negotiations were taking place with the State and the Federal Government regarding the Consent Decree. Approximately $59 million was spent between 03/23/2009 and 10/1/2012 for work related to the installation of the 60-inch sewer force main and the 20-inch water main. In addition, other expenses included extending the 60-inch sewer force main from the water shaft to South Pointe Park and to the Alton Road tie-in. After this project was added as a Consent Decree project in October 2012 , only $35 million was required to complete the project.
	4.3	Government Cut FM - Phase 3	117,376,121		10/1/2012	1/30/2013		4/8/2017	
	4.4	North Dade 72 inch PCCP FM Rehabilitation	23,764,116		10/1/2013	2/1/2013		3/5/2018	
	4.5	South Dade 54 inch PCCP FM Rehabilitation	18,570,705		8/5/2014	8/5/2014		11/27/2017	
	4.6	Replacement of Tamiami Canal Aerial Crossing FM's at NW 37th Ave	727,443	604,872	10/1/2013	12/11/2012	8/11/2014	10/29/2016	Completed. Project in Close-out
	4.7	Replacement of 18 inch DIP FM in Miami Lakes	2,323,333		11/1/2013	3/11/2012		4/9/2017	
	4.8	Rehabilitation of 54 inch PCCP FM in the City of Miami	10,842,213		10/6/2014	3/12/2015		4/9/2017	Design Consultant is working on the BODR.
	4.9	Replace Approximately 30 miles of AC FM Transmission System	52,708,893		11/1/2013	8/28/2012		10/8/2019	
	4.10	Opa-Locka Airport 48" PCCP force main replacement	23,668,622		10/6/2014	12/17/2014		1/28/2018	Basis of Design Report being prepared by CD PMCM. Completion date can be met at this time.
		Subtotal:	**423,707,208**						

EXHIBIT C

Status of Consent Decree Projects for May 2015

Overall Regulatory Project Completion Date - 9/27/2027

Sewer Facility	Consent Decree Project No.	Capital Project Name	Consent Decree Project Cost Estimate, App. D	Actual Costs	Project Estimated Start Date	Actual Start Date	Actual Completion Date	Regulatory Completion Date	Remarks
Sewer Pump Station Systems	5.1	Upgrade of PS#0418	23,877,869		11/1/2013	11/1/2013		11/24/2018	
	5.2	Upgrade of PS#0691	6,007,492		10/7/2014	11/26/2014		1/27/2019	Coordinated solution with City of Homestead for this Pump Station based on flow projections and other upgrades proposed by the City. BODR is in progress. Improvements will be completed on time.
	5.3	Upgrade of PS#0692	6,007,492		10/7/2014	11/26/2014		1/27/2019	Coordinated solution with City of Homestead for this Pump Station based on flow projections and other upgrades proposed by the City. BODR is in progress. Improvements will be completed on time.
	5.4	Replacement of Switchgear PS#0414	1,481,438		10/7/2014	2/9/2015		5/9/2018	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	5.5	Replacement of Switchgear and Rehabilitation of Wet well PS#0415	4,805,995		10/7/2014	2/9/2015		1/27/2019	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	5.6	Replacement of Switchgear PS#0416	1,481,438		10/7/2014	2/6/2015		5/9/2018	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	5.7	Replacement of Switchgear and Rehabilitation of Wet well PS#0417	3,203,999		10/7/2014	2/6/2015		1/27/2019	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	5.8	Replacement of Electrical and Mechanical Equipment in PS#0107	4,004,992		10/7/2014			1/27/2019	Design Consultant Contract awarded in December 2014. Currently negotiating Task Authorization for project design. Completion date can be met at this time.
	5.9	Replacement of Plumbing and Electrical Equipment at PS#0301	4,543,072		10/7/2014	11/24/2014		5/9/2018	Basis of Design Report being prepared by R&R consultant. Completion date can be met at this time.
	5.10	Upgrade of PS#0488	2,962,877		10/7/2014	4/3/2015		5/9/2018	Design Consultant working on 30% Design Submittal. Completion date can be met at this time.
	5.11	Installation of 60 inch FM from Kendall Dr to PS#0536	5,925,746		10/7/2014	12/17/2014		5/9/2018	Basis of Design Report being prepared by CD PMCM. Completion date can be met at this time.
	5.12	Replacement of Switchgear at PS#0187	3,555,449		10/7/2014	2/25/2015		5/9/2018	PER being prepared by R&R consultant. Completion date can be met at this time.
	5.13	Refurbish Emergency Generators and Controls at Regional Pump stations	3,054,141		9/2/2014	9/12/2014		7/20/2016	
	5.14	Upgrade of PS #0086, 0492	2,127,389	1,216,965	10/8/2012	3/19/2012	12/31/2013	12/31/2013	Completed
	5.15	Upgrade of PS #0065, 0201, 0334, 0374, 0607	5,835,671		1/1/2014	12/12/2010		12/31/2015	
	5.16	Upgrade of PS #00198, 0437, 0466, 0680	3,806,369		1/2/2015			12/31/2016	Design Consultant Contract awarded in December 2014. Currently negotiating Task Authorization for project design. Completion date can be met at this time.
	5.17	Upgrade of PS #0037, 0351, 0370, 0403	5,371,342		1/2/2016			12/31/2017	
	5.18	Upgrade of PS #0441, 0491, 0710, 0827, 0852, 1236	7,526,751		1/1/2017			12/31/2018	
	5.19	SCADA RTU Upgrades	10,003,462		10/1/2013	10/1/2013		3/18/2016	
		Subtotal:	**105,582,981**						
		Total Project Expenses:	**1,550,634,370**					**9/27/2027**	

Note: Actual costs are derived from Water and Sewer Financial System reports run on 4/27/2015. Cost amounts maybe subject to change if adjustments are needed when April 2015 Financial Closing is completed.

MEMORANDUM

Agenda Item No. 3(A)(9)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving allocations of FY 2014-15 Office of the Chair Budget funds and allocations of FY 2014-15 District 2 Office Budget funds

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 3(A)(9)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
✓	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(A)(9)
6-30-15

RESOLUTION NO. _____

RESOLUTION APPROVING ALLOCATIONS OF FY 2014-15 OFFICE OF THE CHAIR BUDGET FUNDS AND ALLOCATIONS OF FY 2014-15 DISTRICT 2 OFFICE BUDGET FUNDS

WHEREAS, this Board desires to allocate FY 2014-15 District 2 Office Budget funds as follows:

The Historic Hampton House Community Trust, Inc.	$ 600.00
Le Floridien (Ceremony for Haitian Heritage Cultural Month)	$ 500.00;

WHEREAS, this Board desires to make the following allocations from the FY 2014-15 Office of the Chair Budget funds:

Haitian Mother's Day- May 24, 2015 organized by Mizik Depot	$ 1,000.00
3rd Annual Haitian Caribbean Book Fair (payable to Sosyete Koukouy)	$ 1,000.00
Shalom Development Center (Taste of Heaven)	$ 2,500.00,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Approves the following allocations from the FY 2014-15 District 2 Office Budget funds:

The Historic Hampton House Community Trust, Inc.	$ 600.00
Le Floridien (Ceremony for Haitian Heritage Cultural Month)	$ 500.00.

Section 2. Approves the following allocations from the FY 2014-15 Office of the Chair Budget funds:

Haitian Mother's Day- May 24, 2015 organized by Mizik Depot	$ 1,000.00
3rd Annual Haitian Caribbean Book Fair (payable to Sosyete Koukouy)	$ 1,000.00
Shalom Development Center (Taste of Heaven)	$ 2,500.00.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

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

Gerald K. Sanchez

MEMORANDUM

Agenda Item No. 4(A)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance amending Section 2-11.16 of the Code, clarifying that where not precluded by federal or state law or funding source, hourly wages to be paid on federally or state funded County construction contracts shall be the higher of Davis-Bacon Act rates or the rates under Section 2-11.16 of the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 4(A)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(A)
6-30-15

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CLARIFYING THAT WHERE NOT PRECLUDED BY FEDERAL OR STATE LAW OR FUNDING SOURCE, HOURLY WAGES TO BE PAID ON FEDERALLY OR STATE FUNDED COUNTY CONSTRUCTION CONTRACTS SHALL BE THE HIGHER OF DAVIS-BACON ACT RATES OR THE RATES UNDER SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-11.16 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 2-11.16. County construction contracts.

(a) In addition to the other elements of the term "responsible bidder" in law or in the discretion of the Board of Commissioners of Miami-Dade County, as applies to competitively bid County contracts in excess of one hundred thousand dollars ($100,000.00) for the construction, alteration, and/or repair, including painting or decorating, of public buildings or public works, shall mean a bidder who provides documented proof in its bid that the various classes of laborers and mechanics will be paid no less than the specified overall hourly rates as set forth in the contract specifications. All leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

buildings or improvements located on County-owned land shall require laborers and mechanics performing such work be paid no less than the overall hourly rates required on competitively bid County construction contracts under this Section unless specifically exempted below. Fees for monitoring compliance with this Section shall be charged as provided in the most current County-wide Budget as follows: for County construction contracts, the Department of Business Development shall charge the using department therefor; for leases and contracts which provide for privately funded construction, alteration or repair of buildings or improvements on County owned land, the party contracting with the County shall be charged therefor.

(b) * * *

[[~~The foregoing and the provisions of Section 2-11.16(c) notwithstanding, where~~]] >>Where<< not otherwise precluded by state or federal law, the overall per hour rate shall be the higher rate under this Section 2-11.16 or the rate of wages to be paid under the requirements of the Davis-Bacon Act; provided, further, that the overall per hour rate shall not be the higher rate if the federal government requires the County as a condition of receiving federal funds for a project to pay no more than the wages as determined by the U.S. Department of Labor under the Davis-Bacon Act on project contracts.

* * *

(d) The County [[~~Manager~~]] >>Mayor<< shall establish an administrative procedure for monitoring compliance with and enforcement of the requirements of this Section. Such procedure shall provide that:

(i) DBD may conduct investigations of compliance with the requirements of this Section and issue written notices to a contractor (or subcontractor under the contractor) when it determines based on such investigation that the contractor (or subcontractor) has not complied herewith;

(ii) The contractor or subcontractor shall respond in writing to the notice of noncompliance;

(iii) Based on the response, DBD may determine to rescind the notice of noncompliance or to conduct a Compliance Meeting with the affected contractor or subcontractor at which any additional evidence may be presented;

(iv) DBD shall make a written compliance determination following any Compliance Meeting. A determination that the contractor or subcontractor has not complied with the requirements of this Section shall state the basis therefore and shall advise the contractor or subcontractor of its right to file a written request with the County [[~~Manager~~]] >>Mayor<< within 30 calendar days to schedule an administrative hearing before a hearing officer to appeal the determination as provided below; and

(v) A contractor or subcontractor who fails to respond to a notice of noncompliance, fails to attend a Compliance Meeting, or who does not timely request an administrative hearing from an adverse compliance determination made by DBD after a Compliance Meeting shall be deemed not to have complied with the requirements of this ordinance as stated in the notice or determination of non-compliance and, in the case of underpayment of the required overall per hour rate, an amount sufficient to pay any underpayment shall be withheld from contract proceeds and remitted to the employee and the contractor or subcontractor shall be fined the applicable penalty for such underpayment as provided in this subsection (d). A contractor or subcontractor who does not make the required payment of the underpaid wages or who does not pay any fine imposed hereunder shall not be deemed responsible to perform subsequent County construction contracts and shall be ineligible to be awarded such contracts for so long as the identified underpayment or any penalties imposed therefor remain outstanding, not to exceed three years.

Upon timely receipt of a request for an administrative hearing before a hearing officer to appeal a determination of non-compliance, the County [[~~Manager~~]] >>Mayor<< shall appoint a hearing officer and fix a time for an

administrative hearing thereon. A notice of hearing (together with a copy of DBD's determination of non-compliance) shall be served upon the contractor (or subcontractor). Upon completion of the hearing, the hearing officer shall submit proposed written findings and recommendations together with a transcript of the hearing to the County [[~~Manager~~]] >>Mayor<< within a reasonable time. The County [[~~Manager~~]] >>Mayor<< shall determine whether the contractor (or subcontractor) failed to comply with the requirements of this ordinance. If the [[~~Manager's~~]] >>Mayor's<< determination is that the contractor (or subcontractor) failed to comply, and that such failure was pervasive, the [[~~Manager~~]] >>Mayor<< may order that the contract work be suspended or terminated, and that the noncomplying contractor (or subcontractor) and the principal owners thereof be prohibited from bidding on or otherwise participating in County contracts for the construction, alteration and/or repair, including painting or decorating of public buildings or public works for a period of up to three (3) years. In addition, in the case of underpayment of the required overall per hour rate, an amount sufficient to pay any underpayment shall be withheld from contract proceeds and remitted to the affected employees and the contractor or subcontractor shall be fined the penalties provided below. If the [[~~Manager's~~]] >>Mayor's<< determination is that the contractor (or subcontractor) failed to comply and that such failure was limited to isolated instances and was not pervasive, the County [[~~Manager~~]] >>Mayor<< may, in the case of underpayment of the required overall per hour rate, order an amount equal to the amount of such underpayment be withheld from the contractor and remitted to the employee, and may also fine the contractor or subcontractor for such noncompliance as follows: for the first underpayment, a penalty in an amount equal to 10% of the amount thereof; for the second underpayment, a penalty in an amount equal to 20% thereof; for the third and successive underpayments, a penalty in an amount equal to 30% thereof. A fourth violation, shall constitute a default of the subject contract and may be cause for suspension or termination in accordance with the contract's terms and debarment in accordance with the debarment procedures of the County. Monies received from payment of penalties imposed hereunder shall be deposited in a separate account and shall be utilized solely to defray DBD's costs of

administering this ordinance. If the required payment is not made within a reasonable period of time, the noncomplying contractor (or subcontractor) and the principal owners thereof shall be prohibited from bidding on or otherwise participating in County contracts for the construction, alteration, and/or repair, including painting or decorating of public buildings or public works for a period of three (3) years.

[[~~(e) This section shall not apply to County contracts for construction or alteration which are federally funded or which are otherwise subject to the provisions of the Davis-Bacon Act (40 U.S.C. 276(a)).~~]]

[[~~(f)~~]]>>(e)<< This section shall not apply to any contract for which authority to advertise for bids has been obtained prior to the effective date of this section [Ordinance No. 90-90].

[[~~(g)~~]]>>(f)<< This ordinance shall not apply to blanket contracts designed to consolidate an indeterminate number of individual smaller construction, repair or alteration activities which may be needed over a fixed period of time, provided the overall contract ceiling does not exceed five hundred thousand dollars ($500,000.00) and further provided that no individual work order issued under such contract shall exceed twenty-five thousand dollars ($25,000.00) per craft.

[[~~(h)~~]]>>(g)<< As used in the construction of this section, references to the masculine shall include the feminine and neuter and references to the singular shall include the plural, and vice-versa.

[[~~(i)~~]]>>(h)<< Exemption for certain privately funded construction. This Section shall not apply to leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of buildings or improvements located on County-owned land whose estimated cost is equal to or less than five million dollars ($5,000,000.00) which are financed:

(1) Solely through private sources, without one dollar ($1.00) or more of financing provided through any federal, state, county or local governmental entity or bond sources including Industrial Development

Authority (IDA) bonds or similar type of bond funding; or

(2) by entities which meet all of three (3) of the following conditions: exemption from Federal Income Taxes under section 501(c)(3), not-for-profit and community-based.

[[~~(j)~~]]>>(i)<< The foregoing notwithstanding, any lease or contract entered into after the effective date of this ordinance which provides for privately funded construction, alteration or repair of buildings or improvements located on County-owned land whose estimated cost is equal to or less than five million dollars ($5,000,000.00), receives IDA bond financing and also receives State and/or local development incentives (including but not limited to: waiver of or reduced impact or permit fees and reduced property or other taxes) based on job creation shall not require payment of the overall hourly rates provided by this Section. Such lease or contract shall provide that in the event the job creation requirements on which the foregoing development incentives were conditioned are not fulfilled, the lessee shall be required to pay a penalty of up to twenty (20) percent of the cost of such construction, alteration or repair. Said penalty shall be in addition to any rental or other payments required in each lease or contract to which this subsection applies. Said penalty shall be paid to Miami-Dade County for deposit in the Department of Business Development Compliance Trust Fund and used to cover the costs of monitoring compliance with this Section.

Section 2. 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 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-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 4. 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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Bruce Libhaber

Prime Sponsor: Daniella Levine Cava

MEMORANDUM

Agenda Item No. 4(D)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance relating to zoning and signs; providing definitions and standards for illumination relating to signs; providing for digital signs; providing for digital billboards after public hearing; amending Sections 33-84, 33-96, 33-96.1 of the Code creating Section 33-96.2 of the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
✓	**6 weeks required between first reading and public hearing**
✓	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4(D)

6-30-15

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING AND SIGNS; PROVIDING DEFINITIONS AND STANDARDS FOR ILLUMINATION RELATING TO SIGNS; PROVIDING FOR DIGITAL SIGNS; PROVIDING FOR DIGITAL BILLBOARDS AFTER PUBLIC HEARING; AMENDING SECTIONS 33-84, 33-96, 33-96.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 33-96.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Sign Code of Miami-Dade County, Florida, codified as Chapter 33, Article VI, Divisions 1-7 of the Code of Miami-Dade County, Florida (the "County Sign Code"), establishes minimum standards for signs throughout the County; and

WHEREAS, as set forth in Section 33-82, the County Sign Code is "applicable . . . specifically in the incorporated areas of Miami-Dade County," and when it is "applicable to a municipality, the municipality shall be responsible for enforcement"; and

WHEREAS, as set forth in Section 33-121.11, municipalities may opt out of the regulations governing proximity of signs to expressways in Division 5 of the County Sign Code, but municipalities are charged with enforcing all other provisions of the County Sign Code, including regulations on digital technology and the standards for variances; and

WHEREAS, this Board desires to establish an orderly process and reasonable regulations to permit the use of modern digital technology for signs in Miami-Dade County,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. Section 33-84 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 33-84. Definitions.

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.

>>(1)<< [[~~(a)~~]] *Sign:* Any display of characters, letters, logos, illustrations or any ornamentation designed or used as an advertisement, announcement, or to indicate direction.

Use of merchandise, products, vehicles, equipment, inflated balloons, or the like as an attention attractor or advertising device, with or without a printed or written message or advertisement, shall be considered a sign.

>>(2)<< [[~~(b)~~]] *Attraction board:* A sign or portion of a sign on which copy is changed periodically, advertising special sales, bargains, etc. Said attraction board may be incorporated into the sign permitted.

>>(3)<< [[~~(c)~~]] *Awning, canopy, roller curtain or umbrella sign:* Any sign painted, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain or umbrella.

>>(4) Blank wall. The wall of a building that is free of windows, balconies, railings, articulated facade, decorative grills or gratings, or other architectural elements. Walls constructed on rooftops or as part of a parapet shall not be considered blank walls for the purposes of this article.

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[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

(5)<< [[~~(d)~~]] Cantilever: That portion of a building, projecting horizontally, whether it be on the same plane as the roof line or not.

>>(6)<< [[~~(e)~~]] Cantilever sign: Any sign which is mounted on a cantilever. No cantilever sign may extend beyond the cantilever.

>>(7)<< [[~~(f)~~]] Class A (temporary signs): Any sign(s) to be erected on a temporary basis, such as signs advertising the sale or rental of the premises on which located; signs advertising a subdivision of property; signs advertising construction actually being done on the premises on which the sign is located; signs advertising future construction to be done on the premises on which located, and special events, such as carnivals, concerts, public meetings, sporting events, political campaigns or events of a similar nature.

>>(8)<< [[~~(g)~~]] Class B (point of sale sign): Any sign advertising or designating the use, occupant of the premises, or merchandise and products sold on the premises, shall be deemed to be a point of sale sign (class B) and shall be located on the same premises whereon such is situated or the products sold.

>>(9)<< [[~~(h)~~]] Class C (commercial advertising signs): Any sign which is used for any purpose other than that of advertising to the public the legal or exact firm name of business or other activity carried on the premises, or for advertising any service or product or products actually and actively being offered for sale on the premises, or which is designed and displayed solely to offer for sale or rent the premises, or to advertise construction being done, or proposed to be done, on the premises, or to advertise special events, shall constitute a class C sign.

Class C signs may be in the form of a billboard, >> kiosk,<< bulletin board, mural, or poster board, or may be affixed flat to a building or painted thereon.

>>(10)<< [[~~(i)~~]] Detached sign: Any sign not attached to or painted on a building, but which is affixed and permanently attached to the ground. Permanently attached as used herein shall mean that the supporting structure of the sign is attached to the ground by a concrete foundation.

>>(11) Digital technology (signs): Electronic technology that allows for changes to sign copy resulting from digital data input. Included in this technology are signs that use series of lights, including light emitting diodes (LED), fiber optics, or other similar technology.

(12)<< [[~~(j)~~]] Director: The Director >>of the Miami-Dade County Department of Regulatory and Economic Resources or successor department, or the Director's designee<< [[~~or his qualified agent~~]].

>>(13)<< [[~~(k)~~]] Directional sign: A sign which guides or directs the public and contains no advertising. The name of the facility (such

as store name), which the sign is giving direction to, may be included when specified conditions in the ordinance are complied with.

>>(14)<< [[~~(l)~~]] Entrance features: Any combination of decorative structures and landscape elements located at the entrance to a development, which identifies or draws attention to the development and/or exercises control of ingress and egress to the development. An entrance feature may include, although not necessarily be limited to, ornamental walls, fences, identifying lettering, logos, works of art, and other decorative structures, earthworks, water bodies, fountains, trees, plantings, and other landscape elements, as well as gatehouses, either singly or in any combination thereof.

>>(15)<< [[~~(m)~~]] Flat sign: Any sign attached to and erected parallel to the face of, or erected or painted on the outside wall of any building, and supported throughout its length by such wall or building.

>>(16) Kiosk sign: A detached, dual-face sign placed within a base and affixed or permanently attached to the ground, similar in dimensions to a bus-shelter sign.

(17)<< [[~~(n)~~]] Marquee: A covered structure projecting from, and supported by the building with independent roof and drainage provisions, and which is erected over a doorway or entranceway as protection against the weather.

>>(18)<< [[~~(o)~~]] Marquee sign: Any sign attached to or hung from a marquee.

>>(19) Mural. Any Class C wall sign painted on, affixed, or secured flat to the facade of a building.

(20) Nits (nt): The unit of measurement for luminance. Luminance is the measure of the light emanating from an object with respect to its size and is the term used to quantify electronic sign brightness. A nit is the total amount of light emitted from a sign divided by the surface area of the sign (candelas per square meter (cd/m^2)).

(21)<< [[~~(p)~~]] Portable sign: Any sign not attached to or painted on a building and not affixed or permanently attached to the ground.

>>(22)<< [[~~(q)~~]] Projecting sign: Any sign which is an independent structure, which is attached to the building wall, and which extends at any angle from the face of the wall. No projecting sign shall extend above the roof or parapet wall in any residential district.

>>(23) Projected Technologies: The projection, through digital technology, of two-dimensional or three-dimensional static or moving images.

(24)<< [[~~(r)~~]] Pylon: A vertical extension of a building, constructed integrally and concurrently with the building, or in connection with

a major remodeling or alteration of a building. To classify as a pylon for sign purposes, the pylon structure must be an integral part of the building structure, extending to ground level. In business and industrial districts only, the material and construction may vary from the materials and type of construction of the exterior walls of the building, but same must be approved by the Director. In all cases, the pylon shall have the appearance of a solid structure.

>>(25)<< [[~~(s)~~]] Pylon sign: A flat sign attached to or painted on the face of a pylon. The outer edge of the sign shall not extend beyond the pylon nor above the roof line.

>>(26)<< [[~~(t)~~]] Roof sign: Any sign which is painted on, fastened to, or supported by the roof or erected over the roof.

>>(27)<< [[~~(u)~~]] Semaphore: Any sign consisting of two (2) dual-face signs extending horizontally from a light standard. Such sign projecting from opposite sides of such light standard, and such signs must be located in the parking lot of a shopping center to identify the location of parking areas. No advertising is permitted on the sign.

>>(28)<< [[~~(v)~~]] Shopping center: An area zoned for business is a shopping center where at least two hundred fifty (250) feet of street frontage has been zoned for commercial purposes under one (1) application and under one (1) ownership, and where it contains at least two (2) tiers of in-front parking, contains two (2) or more retail uses, and is subject to site plan or plot use approval as a condition of the applicable resolution or ordinance.

>>(29)<< [[~~(w)~~]] Wall: For sign purposes, that portion of the building's exterior, horizontal surface on the same plane, regardless of vertical or horizontal indentations, and including the surface of parapets and pylons projecting from the building. For sign purposes, there shall be considered to be only four (4) planes to any building and it shall be the prerogative of the Director to determine which portion of odd-shaped buildings, such as buildings of hexagon or octagon design, to which flat signs may be affixed, with such location to be so determined as to prevent a grouping of signs which can be viewed from one (1) direction.

>>(30)<< [[~~(x)~~]] Wall sign: Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one (1) advertising surface.

>>(31)<< [[~~(y)~~]] City of Miami Urban Core shall mean 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 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.

* * *

~~[[(z) Mural. Any Class C wall sign painted on, or affixed or secured flat to the facade of a building.~~

~~(aa) Blank wall. A blank wall means the wall of a building that is free of windows, balconies, railings, articulated facade, decorative grills or gratings, or other architectural elements. Walls constructed on rooftops or as part of a parapet shall not be considered blank walls for the purposes of this article.~~]]

Section 3. Section 33-96 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-96. Illumination >>; variances<<.

>>(a) All signs shall be static and shall not include digital technology, except as expressly provided for in this code. This section does not allow digital technology signs in any particular location or zoning district; digital technology signs may only be permitted as specifically authorized in other sections of this chapter. All static signs shall conform to subsection (b) below. All digital technology signs shall conform to subsection (c) below.

(b) *Static Signs.*<< [[~~Except as provided in Section33-96.1, signs~~]] >>Signs<< illuminated by flashing, moving, intermittent, chasing or rotating lights are prohibited. Signs may be illuminated by exposed bulbs, fluorescent tubes, interior lighting, or by indirect lighting from any external source. Indirect lighting, such as floodlights, shall not shine directly on adjacent property, motorists or pedestrians. Illumination shall be such that it will provide reasonable illumination and eliminate glare and intensity which might pose safety hazards to drivers and pedestrians. Revolving and rotating signs shall be illuminated by internal lighting only.

>>(c) *Digital Signs*. Where digital technology is allowed, it shall be provided in compliance with the following:

(1) No auditory message or mechanical sounds shall be emitted from the sign.

(2) The sign shall not display any illumination that moves, appears to move, blinks, fades, rolls, dissolves, flashes, scrolls, shows animated movement, or changes in intensity during the static display period.

(3) All digital signs shall be modulated so that, from sunset to sunrise, the brightness shall not be more than 500 Nits.

Sunset and sunrise times are those times established by the Miami office of the National Weather Service. At all other times, the maximum brightness levels shall not exceed 5,000 Nits. All digital signs shall have installed ambient light monitors and at all times shall allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

(4) The message display shall not change more often than once each eight seconds, with all moving parts or illumination moving or changing simultaneously.

(5) Any digital sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall immediately revert to a black screen and shall be restored to its normal operation conforming to the requirements of this section within twenty-four (24) hours.

(d) *Variances.*

(1) *Use variances.* No variances from the requirements of this section or Section 33-96.1 may be granted, except: where it would not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions herein will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided that the variance will be in harmony with the general purpose and intent of the regulations, and that the same is the minimum variance that will permit the reasonable use of the premises.

(2) *Area Variances.* Notwithstanding the foregoing, area variances from the requirements of Section 33-96.1 (b), (d), and (f), regarding sign size, setback, spacing, distance, quantity, minimum land area, and landscaping may be granted where the applicant demonstrates that the benefit to granting the area variance does not outweigh the detriment to the neighborhood. The Board shall consider the following factors in making this determination: (i) whether the area variance would create an undesirable change in the character of the neighborhood or a detriment to nearby properties; (ii) whether the benefit can be achieved by some other method; (iii) whether the area variance is substantial; (iv) whether the area variance will have an adverse effect on physical or environmental conditions in the neighborhood or district; and (v) whether the alleged difficulty was self-created, provided that the existence of a self-created difficulty shall be relevant to a board's decision but shall not necessarily preclude the granting of the area variance. The applicant shall also demonstrate that granting the area variance maintains the basic intent and purpose of the zoning, subdivision, and other land use regulations, which is to protect the general welfare of the public, particularly as

it affects the stability and appearance of the community and provided that the area variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required for an area variance.<<

Section 4. Section 33-96.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-96.1. >>Digital Point-of-Sale<< [[~~Automatic Electric Changing~~]] Signs.

Subject to the following mandatory conditions, >>Digital Point-of-Sale<< [[~~Automatic Electric Changing~~]] Signs (">>DPSS<< [[~~ACS~~]]"), shall be permitted in BU and IU districts, seaports, airports, sports stadiums, racetracks, and other similar uses as follows:

(a) >>A Digital Point of Sale Sign (DPSS) means a Class B sign on which a sign face is illuminated with digital technology.<< This [[~~provision~~]] >>section<< shall apply to Class B (Point of Sale) signs only.

(b) [[~~An ACS~~]] >>A DPSS<< shall conform to all sign size, placement, setback, and quantity limitations as provided elsewhere in this chapter and shall comply with all building code requirements.

(c) >>Each DPSS shall comply with Section 33-96 of this chapter.<< [[~~Incandescent lamps/bulbs in excess of 9 watts are prohibited in an ACS.~~

~~(d) An ACS shall be equipped with an automatic operational night dimming device.~~

~~(e) The following operating modes are prohibited:~~

~~(1) Flash the condition created by displaying the same message intermittently by turning it on and off, on and off, with rapidity, or any other delivery mode that creates a flashing effect.~~

~~(2) Zoom the look or condition created by expanding a message from a central point to its full size.~~

~~(3) Any signs which use the word "stop" or "danger" or imply the need or requirement of stopping, or which are copies or imitations of official signs.~~

~~(4) Red, green or amber (or any color combination thereof) revolving or flashing light giving the impression of a police or caution light shall be prohibited.~~]]

>>(d)<<[[~~(f)~~]] A minimum of ten (10) acres gross improved land area shall be required for the placement of >>a DPSS<< [[~~an ACS~~]].

>>(e)<<[[~~(g)~~]] With the exception of airports or seaports, the subject >>DPSS<< [[~~ACS~~]] shall be located only on a major or minor roadway as depicted on the adopted Comprehensive Development Master Plan Land Use Plan map.

>>(f)<<[[~~(h)~~]] A detached >>DPSS<< [[~~ACS~~]] shall be surrounded by a minimum of twenty-five (25) square feet of landscaped area. A plan indicating such landscape area shall be submitted to the Director at the time of building permit application.

>>(g)<<[[~~(i)~~]] The content of the >>DPSS<< [[~~ACS~~]] shall be limited solely to the promotion of products or services offered on the premises. The only fixed message shall be the name of the company possessing a valid Certificate of Use [[~~and Occupancy~~]] for the subject premises.

>>(h) A DPSS on which 30% or less of the sign face is illuminated with digital technology shall not be subject to the minimum land area, landscaping, and roadway placement criteria set forth in subsections (d), (e), and (f) above.<<

[[~~(j) The applicant for an ACS shall file of record a declaration of use, on a form prescribed and approved by the Director, which will govern the operation of the ACS and contain penalties for abatement and removal of the ACS for violations of the declaration of use and the provisions herein.~~]]

Section 5. Section 33-96.2 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

>>Sec. 33-96.2 Digital Billboards; Special Exception.

(a) Where static billboards are permitted in accordance with both the Code of Miami-Dade County and any applicable municipal code, a digital billboard may be permitted only after public hearing and provided that all of the conditions in the chart below are met. This section only authorizes illumination with digital technology and does not provide any new or independent authorization for billboards.

(1) Districts Permitted:	BU-1A, BU-2, BU-3, IU-1, IU-2, IU-3 and IU-C Zones or their municipal equivalents.
(2) Location:	Along a highway designated as "Multi-lane Divided Access Controlled" or "U.S. Route Multilane Highway" on the Florida Department of Transportation's Official

	Transportation Map of Florida, 2015 Edition, as of February 2015, which shall be kept on file with the Department of Regulatory and Economic Resources.
(3) Minimum Setbacks:	From the Right-Of-Way Line: 15 feet From the Interior Property Line: 5 feet
(4) Illumination:	Digital, as governed by Section 33-96 of this Code.
(5) Minimum Spacing to Another Billboard (Digital or Static):	One (1) mile.
(6) Prohibitions:	Such signs shall be prohibited on property designated historical. Such signs shall be prohibited within 5,000 feet of the property line of an airport as identified in Articles XXXV, XXXVII, XXXVII, XXXIX, and XL of this chapter and within the inner and outer safety zones or equivalent designations of any such airport.
(7) Height:	Total sign height shall not exceed 60 feet from normal or average grade to top of sign.
(8) Size:	Sign face area shall not exceed 14 feet by 48 feet (672 square feet). Digital images shall be confined to the digital sign face.
(9) Additional setbacks:	• No billboard sign shall be erected or converted to a digital billboard within six hundred (600) feet of the property line of an existing residential use or residentially-zoned property. • No billboard sign shall be erected or converted to a digital billboard within 30 feet of an existing building. • No billboard sign shall be erected or converted to a digital billboard within one hundred (100) feet of any church or religious facility, school, cemetery, public park, public reservation, public playground, State or national forest.
(10) Orientation	Away from all residential uses and residentially zoned property
(11) Landscaping:	Trees shall be planted along all property lines at a maximum average spacing of thirty (30) feet on center. Said trees shall be of a species typically grown in Miami-Dade County which normally mature to a height of at least twenty (20) feet and shall have a clear trunk of four (4) feet, an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting.

(12) Other Conditions:	The proposed digital billboard structure shall be required to meet all other requirements of this code and the Florida Building Code.<<

>>(b) *Variances.* Notwithstanding the provisions of Section 33-121.15 or other provisions of this chapter to the contrary, variances from the requirements of this section shall only be approved in accordance with the use variance standards set forth in Section 33-96(d)(1) of this article, except that variances of subsections (a)(3), (5), (6), (7), (8), (9), (10) and (11) above, regarding setbacks, spacing, distance, orientation, height, size, and landscaping, may be approved in accordance with the area variance standards set forth in Section 33-96(d)(2).

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. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-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 8. 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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

APW

Prepared by:

Abbie Schwaderer-Raurell
Dennis A. Kerbel

Prime Sponsor: Commissioner Jose "Pepe" Diaz

Agenda Item 4 D at BCC on June 30, 2015

FIRST – Nathan Kurland

Mr. Chairman, commissioners. My name is Nathan Kurland, and my address is 3132 Day Avenue in Coconut Grove. I am here to speak strongly against Item 4 D. This is a horrible piece of legislation, and it needs to be killed on first reading today.

Thirty years ago next month, this county government did a truly great thing. Under the leadership of then-Commissioner Harvey Ruvin, Metro-Dade spent a full year completely re-writing its entire Sign Code . . . and in July 1985, made its new code the law throughout this county, including within all of its municipalities.

The 1985 County Sign Code established minimum and uniform standards everywhere, for every type of outdoor sign, in pursuit of an incredibly important goal: Reducing visual pollution and reigning in lawless outdoor advertising companies. Cities could be more stringent than the county's rules, but not more lenient.

With rare exception, it has been all down hill for the past three decades. And this proposed amendment to the Sign Code accelerates that sad tradition.

There are many problems with this legislation, but let me concentrate on just one, at handwritten Page 10. This brand-new section called "Area

Variances" creates a process for waiving any or all of the regulations on sign size, setback, spacing, distance, quantity, minimum land area and landscaping – and I quote here – "where the applicant demonstrates that the benefit to granting the area variance *does not outweigh the detriment to the neighborhood*."

Let me say that again: DOES NOT **OUTWEIGH THE *DETRIMENT* TO THE NEIGHBORHOOD**.

Is this how we achieve good zoning? Is this a legitimate test for waiving protective rules controlling advertising signage? Measuring harm to a neighborhood? How do you do that? I ask you, how much harm is "okay" harm. When does detriment become hurtful enough to say no, at long last?

This ordinance is nutty. This ordinance is bad. This ordinance needs to die today. Please vote No on 4 D.

Thank you.

#_____

AGAINST Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: County Comm Agenda Item #: 4D

Subject: Sign Code

Name: Nathan Kurland

Address: 3132 Day Ave Miami FL 33133

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ ~~No~~

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ ~~No~~

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

A

#_____

AGAINST Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: Feb 11 Meeting: _____ Agenda Item #: 4D

Subject: Sign Code

Name: Grace Soares

Address: 6055W 30th Rd Miami FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

B

#_____

AGAINST Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: Cmte Comm Agenda Item #: 4D

Subject: Sign Code

Name: William Pollak

Address: Pollak 19 W Flagler St Miami

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

C

#_____

AGAINST Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: County Comm Agenda Item #: 4D

Subject: Sign Code

Name: Peter Evlich

Address: 720 NE 63rd St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AD

861

Elected Official courtesy

Francois Ilias + Company

Steve Abrams, Commissioner, Palm Beach County is here to address 861, Tri-Rail funding.

He is the past Chair of the South Florida Regional Transportation Authority

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: June 30 Meeting: BCC Agenda Item #: 4D

Subject: OTC

Name: Kenita Holmes

Address: Overtown 350 NW 4th St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: Waaive / Our Homes

Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

MEMORANDUM

Agenda Item 5(B) Supplement

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Supplement information on Resolution codesignating the traffic roundabout at the intersection of NE 199th Street and North Drive as "Father Peter Lickman Way"

Pursuant to Ordinance No. 13-29 of the Miami-Dade County Code, the Commission Auditor shall complete background research on any person, place, or thing that is the subject of a naming, renaming, or designation item or an item approving the co-designation of state or municipal roads, and shall prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Attached for your information and review is the Commission Auditor's findings regarding Item 5(B) on today's agenda, Resolution codesignating the traffic roundabout at the intersectin of NE 199th Street and North Drive as "Father Peter Lickman Way".

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

M E M O R A N D U M

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Resolution codesignating the traffic roundabout at the intersection of NE 199th Street and North Drive as "Father Peter Lickman Way"**

Ordinance No. 13-29, adopted on April 2, 2013, requires the Office of the Commission Auditor (OCA) to complete background research on any person, organization, place or thing that is the subject of a naming, renaming or codesignation item.

In accordance with the Ordinance, we are providing this report as a supplement to the Board of County Commissioners (BCC) Agenda Item 5(B).

Pursuant to Ordinance No. 13-29, the OCA completed background research regarding BCC Agenda Item 5(B), Resolution codesignating the traffic roundabout at the intersection of NE 199th Street and North Drive as "Father Peter Lickman Way", and there were no adverse findings.

MEMORANDUM

Agenda Item 5(C) Supplement

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Resolution renaming "Richmond Triangle Park" as the "Richmond Heights Legacy Park"; renaming "Ben Shavis Park" as the "Ben Shavis Legacy Park"; renaming "Lincoln Estates Park" as the "Lincoln Estates Legacy Park"; Renaming "Naranja Lakes Park; as the "Naranja Lakes Legacy Park"; directing the County Mayor to take all steps necessary to effectuate such name changes

Pursuant to Ordinance No. 13-29 of the Miami-Dade County Code, the Commission Auditor shall complete background research on any person, place, or thing that is the subject of a naming, renaming, or designation item or an item approving the co-designation of state or municipal roads, and shall prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Attached for your information and review is the Commission Auditor's findings regarding Item 5(C) on today's agenda, Resolution renaming "Richmond Triangle Park" as the "Richmond Heights Legacy Park"; renaming "Ben Shavis Park" as the "Ben Shavi Legacy Park"; renaming "Lincoln Estates Park" as the "Lincoln Estates Legacy Park"; renaming "Naranja Lakes Park" as the "Naranja Lakes Legacy Park"; directing the County Manager to take all steps necessary to effectuate such name changes.

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Resolution renaming "Richmond Triangle Park" as the "Richmond Heights Legacy Park"; renaming "Ben Shavis Park" as the "Ben Shavis Legacy Park"; renaming "Lincoln Estates Park" as the "Lincoln Estates Legacy Park"; renaming "Naranja Lakes Park" as the "Naranja Lakes Legacy Park"; directing the County Mayor to take all steps necessary to effectuate such name changes**

Ordinance No. 13-29, adopted on April 2, 2013, requires the Office of the Commission Auditor (OCA) to complete background research on any person, organization, place or thing that is the subject of a naming, renaming or codesignation item.

In accordance with the Ordinance, we are providing this report as a supplement to the Board of County Commissioners (BCC) Agenda Item 5(C).

Pursuant to Ordinance No. 13-29, the OCA completed background research regarding BCC Agenda Item 5(C), Resolution renaming "Richmond Triangle Park" as the "Richmond Heights Legacy Park"; renaming "Ben Shavis Park" as the "Ben Shavis Legacy Park"; renaming "Lincoln Estates Park" as the "Lincoln Estates Legacy Park"; renaming "Naranja Lakes Park" as the "Naranja Lakes Legacy Park"; directing the County Mayor to take all steps necessary to effectuate such name changes, and there were no adverse findings.

MEMORANDUM

Agenda Item 5(D) Supplement

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Resolution amending Resolution No. R-488-14 to revise the County Road codesignation, and urging the Florida Legislature to revise the State Road codesignation of portions of SW 152 Street from being "Larcenia Bullard Way" to being "Senator Larcenia J. Bullard Way"; amending Resolution No. R-481-14 to approve State revision; directing the Mayor to install appropriate signage on traffic signal mast arms and street signs pursuant to Resolution Nos. R-825-07 and R-159-07

Pursuant to Ordinance No. 13-29 of the Miami-Dade County Code, the Commission Auditor shall complete background research on any person, place, or thing that is the subject of a naming, renaming, or designation item or an item approving the co-designation of state or municipal roads, and shall prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Attached for your information and review is the Commission Auditor's findings regarding Item 5(D) on today's agenda, Resolution amending Resolution No. R-488-14 to revise the County Road codesignation, and urging the Florida Legislature to revise the State Road codesignation, of portions of SW 152 Street from being "Larcenia Bullard Way" to being "Senator Larcenia J. Bullard Way"; amending Resolution No. 481-14 to approve State revision; directing the Mayor to install appropriate signage on traffic signal mast arms and street signs pursuant to Resolution Nos. R-825-07 and R-159-07.

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Resolution amending Resolution No. R-488-14 to revise the County Road codesignation, and urging the Florida Legislature to revise the State Road codesignation, of portions of SW 152 Street from being "Larcenia Bullard Way" to being "Senator Larcenia J. Bullard Way"; amending Resolution No. R-481-14 to approve State revision; directing the Mayor to install appropriate signage on traffic signal mast arms and street signs pursuant to Resolution Nos. R-825-07 and R-159-07**

Ordinance No. 13-29, adopted on April 2, 2013, requires the Office of the Commission Auditor (OCA) to complete background research on any person, organization, place or thing that is the subject of a naming, renaming or codesignation item.

In accordance with the Ordinance, we are providing this report as a supplement to the Board of County Commissioners (BCC) Agenda Item 5(D).

Pursuant to Ordinance No. 13-29, the OCA completed background research regarding BCC Agenda Item 5(D), Resolution amending Resolution No. R-488-14 to revise the County Road codesignation, and urging the Florida Legislature to revise the State Road codesignation, of portions of SW 152 Street from being "Larcenia Bullard Way" to being "Senator Larcenia J. Bullard Way"; amending Resolution No. R-481-14 to approve State revision; directing the Mayor to install appropriate signage on traffic signal mast arms and street signs pursuant to Resolution Nos. R-825-07 and R-159-07, and there were no adverse findings.

Memorandum

MIAMI-DADE COUNTY

Date:	June 30, 2015
To:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners
From:	Carlos A. Gimenez Mayor
Subject:	FY 2014-15 Mid-Year Budget Supplement

Agenda Item No. 5(F)

This item was amended at the June 9, 2015 meeting of the Strategic Planning and Government Operations Committee to remove the recommended allocation of $1 million for the Liberty City Summer Youth Employment Program. Use of savings identified from property damage insurance costs ($1.705 million) has been reduced by $1 million to $705,000. The $1 million of such savings remains unallocated.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached supplemental budgets in accordance with the Home Rule Charter and Section 129.06 of the Florida Statutes. These supplements will align the County's FY 2014-15 Adopted Budget with projected end- of-year expenditures.

Scope

The impact of this item is countywide.

Fiscal Impact/Funding Source

Detailed below.

Background

A supplemental budget is required by the Miami-Dade County Charter and State law when expenditures exceed budgeted appropriations. Supplemental budgets for various funds will be needed to reflect either extraordinary or unplanned expenditures that occurred since the FY 2014-15 Budget was adopted.

The revisions incorporated in this supplemental budget include adjustments to reflect increased General Fund carryover revenue and increased expenses due to higher than anticipated inmate detention costs (Miami-Dade Corrections and Rehabilitation), required convention development tax payments, and amendments to certain capital budgets.

General Fund

The General Fund (Fund GF 010, Subfund 010) requires a supplemental budget $11.254 million. Funding will be provided from higher than anticipated prior year general fund carryover ($4.601 million), improved current year sales tax receipts ($4.699 million), and excess countywide revenue sharing revenues ($1.954 million). In addition, savings projected in the non-departmental budget of the general fund related to lower than budgeted property damage insurance costs ($705,000) may be reallocated. This item was amended on June 9, 2015 by the Strategic Planning and Government Operations Committee to remove the recommended allocation of $1 million for the Liberty City Summer Youth Employment Program. As a result, the use of savings identified from property damage insurance costs ($1.705 million) has been reduced by $1 million to $705,000. The $1 million of such savings remains unallocated.

The prior year unexpended balances for the Board of County Commissioners' offices and its divisions that will be allocated to the respective offices and/or divisions of the Board totals $3.019 million. The Corrections and Rehabilitation Department requires an increase of $8.5 million to fund higher than anticipated overtime costs associated with the actions taken to comply with the United States Department of Justice Settlement Agreement. In addition, the General Fund requires an adjustment to increase the allocation to the YWCA Court Care program to provide services at the new Children's Courthouse ($40,000). An adjustment is also needed to reflect an allocation of $250,000 to the Technology Foundation of the Americas for the e-Merge Americas conference taking place in May 2015 and $150,000 (administered by Regulatory and Economic Resources Department) to address the immediate threat to the County's avocado industry caused by Laurel Wilt Disease. This disease has killed more than 6,500 avocado trees in the county to date. This one-time funding will be used to mitigate the spread of the disease through the removal of infected trees and the application of approved biological and fungicidal controls. This will help minimize the impact of this disease to our local agriculture economy and assist in slowing the spread as further research is completed.

Regulatory and Economic Resources

The Regulatory and Economic Resources department requires a budget supplement of $8,000 (Fund GF 030, Subfund 065) for expenses associates with the plans review process funded by additional planning revenues. In addition, a correction is needed in Fund GF 030 subfunds 032 and 065 to correct the countywide general fund transfers to the department ($56,000).

Miami-Dade Transit

The Miami-Dade County Transit department requires a budget supplement of $402,000 (ET 412 Subfund various) to correct a scrivener's error in the Capital Improvement Local Option Gas Tax Program fund (CO 337, Subfund 337) which inadvertently reflected lower than estimated gas tax revenue which is used to support preventive maintenance costs. This revenue must reflect a 1.5 percent growth from the prior year as required in the Transit maintenance of effort.

Tourist Taxes

The Convention Development Tax (CDT) Fund (Fund ST 160, Subfund 162) requires a budget supplement of $3.527 million to distribute additional CDT revenues collected in FY 2013-14 to the City of Miami Beach ($3.144 million) as required under the Interlocal Agreement between the City and the County as amended, and to the Performing Arts Center Trust Operations ($383,000) for occupancy costs including, but not limited to, security and utility expenses, as a result of additional Omni Community Redevelopment Area incremental revenues used to pay debt service obligations related to the Adrienne Arsht Performing Arts Center in accordance with the priority set forth in under Resolution R-52-10 approved by the Board on January 21, 2010.

Building Better Communities General Obligation Bond (BBC GOB)

Fund CB 320 requires an amendment to move $6.5 million Question 1 "Water, Sewer, and Flood Control" and $2.7 million in Question 6 "Public Service and Outreach Facilities" from future years funding to two projects in FY 2014-15. The first amendment is to provide funding to the Village of Bal Harbour for the improvement to the municipal collection system that will help control peak flows coming to the County's regional system within northeast Miami-Dade County and the Village of Bal Harbour, a key component of the County's regional sanitary sewer system. The second amendment is to advance funding for Little Havana Social Service, Inc., a subsidiary of Little Havana Activities and Nutrition Centers of Dade County Inc., the grantee authorized to receive these BBC GOB funds pursuant to Resolution R-122-15 to secure federal funds to complete the construction of a multi-use facility. This impacts projects numbers 962830, 964350, 969830, 115530, and 9810960 references in Volume 3 pages 118,120,125, 286 and 324, respectively.

Track Record/Monitor
N/A

Attachments

Edward Marquez
Deputy Mayor

mayor03415

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(F)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(F)
6-30-15

ORDINANCE NO. _____

ORDINANCE APPROVING AND ADOPTING FISCAL YEAR 2014-15 MID-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS AND AMENDMENTS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET FEES, CHARGES AND ASSESSMENTS AND PROVIDING FOR THEIR AMENDMENT; APPROPRIATING GRANT, DONATION AND CONTRIBUTION FUNDS; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by this reference,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In compliance with the provisions of Section 1.02(A) of the Miami-Dade County Home Rule Charter and Section 129.06, Florida Statutes, the supplemental budgets attached hereto and made a part hereof are hereby approved, adopted, and ratified, and the budgeted revenues and expenditures therein provided are hereby appropriated.

Section 2. Ordinance Nos. 14-125, 14-127, and 14-132 are hereby amended, including to correct scrivener errors in the appropriation schedules as outlined in the accompanying memorandum. These amendments to the FY 2014-15 Adopted Budget are hereby approved, adopted and ratified.

Section 3. All resolutions, implementing orders and other actions taken by the Board of County Commissioners setting fees, charges, and assessments are hereby ratified, confirmed and approved, and may be amended during the year.

Section 4. All grant, donation and contribution funds received by the County are hereby appropriated at the levels and for the purposes intended by the grants, donations and contributions.

Section 5. The County Mayor or his designee is hereby authorized to execute agreements for funding allocations for not-for-profit organizations approved in this ordinance.

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. All provisions of 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. In the event all or any particular component of this ordinance are vetoed, the remaining components, if any, shall become effective ten (10) days after the date of enactment and the components vetoed shall become effective only upon override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency.

Prepared By:

Geri Bonzon-Keenan

Countywide General Fund
(Fund GF 010, Subfund 010)

Revenues:		2014-15
Previously Approved Revenues		$1,175,674,000
Additional Carryover		3,816,000
Transfer from State Revenue Sharing		1,954,000
Transfer from Local Government Half-Cent Sales Tax		4,699,000
Total		$1,186,143,000

Expenditures:		
Previously Approved Expenditures		$1,175,674,000
Board of County Commissioners		2,234,000
Corrections and Rehabilitation		8,500,000
Non-Departmental General Government - YWCA Court Care Program		40,000
Non-Departmental General Government - Technology Foundation of the Americas		250,000
~~[[Non-Departmental General Government - Youth Summer Employment Program (CareerSource S. Florida)]]~~		~~[[1,000,000]]~~
Non-Departmental General Government - Property Damage Insurance Expenses [1]	~~[[-1,556,000]]~~	>>-555,000<<
Total		$1,186,143,000

Unincorporated Municipal Service Area (UMSA) General Fund
(Fund GF 010, Subfund 010)

Revenues:	2014-15
Previously Approved Revenues	$411,976,000
Additional Carryover	785,000
Total	$412,761,000

Expenditures:	
Previously Approved Expenditures	$411,976,000
Board of County Commissioners	785,000
Regulatory and Economic Resources - Infected Tree Removal Program	150,000
Non-Departmental General Government - Property Damage Insurance Expenses	-150,000
Total	$412,761,000

REGULATORY AND ECONOMIC RESOURCES
Business Affairs Operations
(Fund GF 030, Subfund 032)

Revenues:	2014-15
Previously Approved Revenues	$18,244,000
Transfer from Countywide General Fund (see GF Fund 030, Subfund 065)	56,000
Total	$18,300,000

Expenditures:	
Previously Approved Operating Expenditures	$11,967,000
Previously Approved Operating Reserve	6,277,000
Additional Operating Reserve	56,000
Total	$18,300,000

[1] $1 million of Property Damage Insurance Costs Savings remains unallocated

REGULATORY AND ECONOMIC RESOURCES
Business Affairs Operations
(Fund GF 030, Subfund 032)

Revenues:	2014-15
Previously Approved Revenues	$18,244,000
Transfer from UMSA General Fund	150,000
Total	$18,394,000

Expenditures:	
Previously Approved Operating Expenditures	$18,244,000
Infected Tree Removal Program	150,000
Total	$18,394,000

REGULATORY AND ECONOMIC RESOURCES
Construction, Permitting, and Building Code
(Fund GF 030, Subfund 065, Various Projects)

Revenues:	2014-15
Previously Approved Revenues	$81,847,000
Transfer from Countywide General Fund (see GF Fund 030, Subfund 032)	-56,000
Planning Revenue	64,000
Total	$81,855,000

Expenditures:	
Previously Approved Operating Expenditures	$57,504,000
Previously Approved Operating Reserve	24,343,000
Additional Operating Reserve	8,000
Total	$81,855,000

CONVENTION DEVELOPMENT TAX
(Fund ST 160, Subfunds 162 and 164)

Revenues:	2014-15
Previously Approved Revenues	$87,963,000
Additional Convention Development Tax Proceeds	3,527,000
Total	$91,490,000

Expenditures:	
Previously Approved Expenditures	$87,963,000
Payment to the City of Miami Beach (pursuant to Interlocal Agreement)	3,144,000
Additional Performing Arts Center Trust Operating Subsidy	383,000
Total	$91,490,000

Building Better Communities General Obligation Bond Program
(Fund CB 320, Various Subfunds)

Revenues:	Prior Years	FY 2014-15	Future Years	Total
Programmed Proceeds	$1,353,067,000	$343,815,000	$1,228,868,000	$2,925,750,000
Interest Earnings	34,130,000.00	-	-	34,130,000.00
Total	$1,387,197,000	$343,815,000	$1,228,868,000	$2,959,880,000

Expenditures:

Question 1: Water, Sewer and Flood Control	$ 112,943,000	$ 40,038,000	$ 205,813,000	$ 358,794,000
Question 2: Park and Recreation Facilities	351,647,000	83,190,000	211,944,000	646,781,000
Question 3: Bridges and Public Infrastructure	174,711,000	28,893,000	130,522,000	334,126,000
Question 4: Public Safety Facilities	43,380,000	36,407,000	244,833,000	324,620,000
Question 5: Emergency and Healthcare Facilities	134,796,000	21,996,000	15,708,000	172,500,000
Question 6: Public Service and Outreach Facilities	88,506,000	**36,297,000**	**117,190,000**	241,993,000
Question 7: Housing for Elderly and Families	116,515,000	15,790,000	52,695,000	185,000,000
Question 8: Cultural, Libraries, and Educational Facilities	329,347,000	75,450,000	120,762,000	525,559,000
Office of the County Attorney	2,968,000	424,000	-	3,392,000
Office of Management and Budget	15,203,000	926,000	-	16,129,000
Other Legally Eligible Project Costs	-	-	986,000	986,000
Issuance Cost, Discount and Transfers to Debt Service	$ 16,166,000	$ 4,404,000	$ 129,430,000	$ 150,000,000
Total	$1,386,182,000	$343,815,000	$1,229,883,000	$2,959,880,000

CAPITAL IMPROVEMENTS LOCAL OPTION
GAS TAX PROGRAM (THREE CENTS)
(Fund CO 337, Subfund 337)

Revenues:	2014-15
Previously Approved Revenues	$18,128,000
Transfer from Transportation Trust Fund	402,000
Total	$18,530,000

Expenditures:	
Previously Approved Expenditures	$18,128,000
Transfer to Miami-Dade Transit (Fund ET 413, Subfund 413)	402,000
Total	$18,530,000

Non-Capital Grants
(Fund ET 413, Subfund 413)

Revenues:	2014-15
Previously Approved Revenues	$103,572,000
Additional Capital Improvement Local Option Gas Tax	402,000
Total	$103,974,000

Expenditures:	
Previously Approved Expenditures	$103,572,000
Additional Transit Grant Program Expenditures	402,000
Total	$103,974,000

STATE REVENUE SHARING
(Fund 510, Subfund 512)

Revenues:	2014-15
Previously Approved Revenues	$97,752,000
Entitlement as a County	1,954,000
Total	$99,706,000

Expenditures:	
Previously Approved Expenditures	$97,752,000
Transfer to Countywide General Fund	1,954,000
Total	$99,706,000

LOCAL GOVERNMENT HALF-CENT SALES TAX
(Fund 510, Subfund 513)

Revenues:	2014-15
Previously Approved Revenues	$140,042,000
Additional Countywide Sales Tax Receipts	4,699,000
Total	$144,741,000

Expenditures:	
Previously Approved Expenditures	$140,042,000
Transfer to Countywide General Fund	4,699,000
Total	$144,741,000

(Public Hearing 6-30-15)

Memorandum

MIAMI-DADE COUNTY

Date: June 2, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 5(G)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Street Lighting Special Taxing Districts

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached Ordinance pertaining to the proposed fees for the Special Taxing Districts' non-ad valorem assessment rolls, rates and assessments for Street Lighting Special Taxing Districts for Fiscal Year (FY) 2015-16. All lots and parcels within the Street Lighting Special Taxing District are unique due to their geographical boundaries, affected property owners and level of services provided. Therefore, approval of this ordinance is required to continue providing service for all lots and parcels within the Street Lighting Special Taxing Districts. The Public Works and Waste Management Department (PWWM) has determined, and I concur, that the services provided by these special taxing districts will provide special benefits to properties within each district exceeding the amount of special assessments to be levied. Therefore, it is hereby recommended that the proposed rates provided in Exhibit A be approved and adopted.

In addition to this ordinance, there are three (3) other proposed ordinances relating to Special Taxing Districts. One ordinance adopts and ratifies non-ad valorem assessment rolls, rates and assessments for Multipurpose Maintenance Special Taxing Districts that are increasing. A second ordinance adopts and ratifies non-ad valorem assessment rolls, rates and assessments for Security Guard Special Taxing Districts that are increasing. A third ordinance adopts and ratifies special assessment district rates for Street Lighting, Multipurpose Maintenance, Security Guard, and Capital Improvements/Road Maintenance Special Taxing Districts that are remaining flat.

Of the total 1,068 active special taxing districts, a total of 234 require a rate increase. Currently, there are 904 street lighting districts, of which 196 require a rate increase and 708 remain flat.

SCOPE

The scope of this item extends countywide.

FISCAL IMPACT/FUNDING SOURCE

There will be no financial impact to the General Fund. Any financial impact would be absorbed by the property owners affected by the special assessments.

TRACKING

The implementation and operation of the Special Taxing Districts are monitored by Michael R. Bauman, Chief, Causeways and Special Taxing Districts Division (Division), Public Works and Waste Management Department (PWWM) and the financials are overseen by Aneisha Daniel, Assistant Director, Fiscal and Internal Services, PWWM.

BACKGROUND

The Special Taxing Districts have been created throughout Miami-Dade County (County) to provide public improvements and/or special services at the requests of the residents or developers. Chapters 18 and 28 of the County Code (Code) provide for the legal framework of Special Taxing Districts. Improvements and services that are currently provided through Special Taxing Districts include:

- Street Lighting - created in existing communities at their request and mandated by Code in new subdivisions,
- Multipurpose Maintenance - includes, but is not limited to, landscape and lake maintenance, maintenance of swales, walls, and graffiti abatement for walls within or abutting the public right-of-way line,
- Security Guard - provides by either stationary and/or roving patrol manned by off-duty police officers or commercial guards,
- Capital Improvements/Road Maintenance - provides for one (1) time upgrades or improvements within public right-of-way; examples include water/sewer, drainage, utilities and other roadway improvements

The County is currently responsible for the management and operation of 1,068 active Special Taxing Districts. There are currently 904 active Street Light Districts, 44 Security Guard Districts, 117 Multipurpose Maintenance Districts, and three (3) Capital Improvements/Road Maintenance Districts located within Miami-Dade County.

Special taxing districts are petitioned for by the property owners within the district boundaries, approved by the Board and ratified by the qualified electorate within those boundaries. The improvements are paid for by the property owners through special assessments collected through the annual combined real property tax bill pursuant to Florida Statute 197.3632. All improvements or services must be public, usually provided within public right-of-way or public property, and therefore, no person will be prohibited access to a Special Taxing District.

Pursuant to Florida Statute 197.3632 and Section 18-14(5) of the County Code, the County is required to publicly notice the non-ad valorem assessment rolls in special taxing districts. In the event of a rate increase, the Board is required to adopt non-ad valorem assessment rolls at a public hearing held between January 1 and September 15. Previously, all increases to non-ad valorem assessment rolls were approved as a part of the annual County budget process.

All residents in Special Taxing Districts whose assessments are increasing will receive notification as follows:

- Each resident will receive by first class mail, publication in a newspaper, and posting of such notice in each district, a notice informing them of:

    a. the purpose of the assessment,

    b. the total amount to be levied against each parcel,

    c. the unit of measurement to be applied against each parcel to determine the assessment,

d. the number of such units contained within each parcel,

e. the total revenue the local government will collect by the assessment,

f. a statement that failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in a loss of title,

g. a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice, and

h. the date, time, and place of the hearing.

The County's Audit and Management Department is currently conducting an audit of all special taxing districts managed by the County. The ongoing audit process and subsequent management review has revealed issues with management and accounting practices that are currently being addressed. The Division has been reorganized, the accounting and budget process methodology has been reviewed and enhanced for consistency with acceptable County and accounting standards, and staff is working with the County Attorney's Office to ensure compliance with State laws. **It must be noted that special taxing districts' services have been continually provided without interruption of service during this review process.**

The proposed rate increase recommendations adjust for electricity costs and in some cases correct prior year deficits. The table below provides a brief summary of the range of the required increases. Exhibit A attached provides the detail of each table recommendation.

	Number of Districts	Number of Folios/ Properties
Flat Rate	708	122,032
Between $0 and $50	152	93,478
Between $51 and $100	19	10,243
Between $101 and $200	6	42
Between $201 and $500	11	231
Between $501 and $1,000	3	4
Over $1,000	5	13

Staff is in the process of meeting with either homeowners' associations or other individuals/groups that represent the Special Taxing Districts to brief them on corrective actions that have been taken to ensure that the Special Taxing Districts program operation remains fiscally sound.

All required statutory notification requirements have also been followed.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(G)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(G)
6-30-15

ORDINANCE NO. _____

ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE STREET LIGHTING SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, pursuant to petition, notice and public hearing, the Board of County Commissioners ("Board") by various ordinances has established special taxing districts in Miami-Dade County, Florida, for the provision of street lighting, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, enacted under and pursuant to the provisions of Section 1.01(A)(11) of the Home Rule Charter of Miami-Dade County, Florida; and

WHEREAS, the street lighting in these special taxing districts is in operation; and

WHEREAS, pursuant to these ordinances, the Board of County Commissioners determined that special assessments in the special taxing districts listed in Exhibit A for street lighting should be levied on a per front-footage basis in accordance with such adopted ordinances; and

WHEREAS, pursuant to Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Mayor or County Mayor's designee caused assessment rolls to be prepared and filed with the Clerk of the County Commission and pursuant to notice published, posted, and mailed

to all property owners within the special taxing districts, the County Commission held a public hearing on this date upon the assessment rolls submitted by the County Mayor or County Mayor's designee, and all interested persons were afforded the opportunity to present their objections, if any, with respect to their assessments on such assessment rolls; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the assessment rolls were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said assessment rolls; and

WHEREAS, each property owner was notified that the special assessments, when finally approved and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida, will be placed on the November, 2015, and subsequent real property tax bills and that, if these special assessments are not paid when due, the properties on which the special assessments are levied will be respectively subject to the same collection procedures as for ad valorem taxes, including possible loss of title,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. This ordinance shall be known and may be cited as the "Fiscal Year 2015-16 Miami-Dade County Street Lighting Non-Ad Valorem Special Assessment Ordinance."

Section 2. The Board intends to use the uniform method of collection of non-ad valorem assessments as authorized in Section 197.3632, Florida Statutes, as amended, for collecting the non-ad valorem assessments levied within Miami-Dade County for special taxing districts, including, but not limited to, street lighting. Descriptions of such areas to be assessed,

units of measurement, and the amount of the assessment are attached hereto as Exhibit A and incorporated herein by reference. Except as herein provided, this Board hereby also incorporates by reference: (1) all previously adopted ordinances establishing and/or amending the districts and service areas described in Exhibit A; and, (2) any resolution adopting preliminary or amended assessment rolls for the districts and service areas described in Exhibit A.

Section 3. After duly advertised public hearing, this Board has received written objections, if any, and heard testimony from all interested person(s) and, based on the benefit to the properties within the districts described in Exhibit A, hereby determines that the levies of the assessments are needed to fund the cost of street lighting within these districts. Said revised assessment rolls (a copy of which are made a part hereof by reference) are approved, adopted, and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida.

Section 4. All assessments made upon said revised assessment rolls shall constitute a special assessment lien upon the real property so assessed from the date of the confirmation of such assessments, in accordance with the provisions of Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 5. All assessments shall be payable in accordance with Section 18-14(7) of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of the various ordinances previously approved by the Board, shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 6. Within thirty (30) days from the effective date of this resolution, the Clerk of the Board of County Commissioners is directed to deliver to the Finance Director a copy of the assessment roll, and to cause a duly certified copy of this resolution, together with the assessment roll, to be filed and recorded in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 7. Unless otherwise prohibited by law, this ordinance shall supersede all enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions in the Code of Miami-Dade County in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Ordinance 07-45, as amended.

Section 8. 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 9. 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 override by this Board.

Section 10. It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

Jorge Martinez-Esteve

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0002	BUNCH PARK	~~0.3595~~	**0.3840**	3,990	159,537	$61,262.21	LOT/PARCEL FRONT FOOTAGE
L0003	SUNSWEPT ISLE	~~0.4465~~	**1.0643**	198	16,334	$17,384.28	LOT/PARCEL FRONT FOOTAGE
L0004	TOWN PARK ESTATES	~~0.3746~~	**0.3994**	765	66,143	$26,417.51	LOT/PARCEL FRONT FOOTAGE
L0005	RICHMOND HEIGHTS	~~0.4618~~	**0.7671**	2,006	166,579	$127,782.75	LOT/PARCEL FRONT FOOTAGE
L0006	WEST PERRINE	~~0.4489~~	**0.4624**	1,312	121,364	$56,118.71	LOT/PARCEL FRONT FOOTAGE
L0007	NARANJA PARK	~~0.5117~~	**0.5442**	231	27,819	$15,139.10	LOT/PARCEL FRONT FOOTAGE
L0008	SOUTHWEST SEC. 1	~~0.4763~~	**0.4817**	8,045	694,592	$334,584.97	LOT/PARCEL FRONT FOOTAGE
L0009	TWIN LAKES	~~0.5133~~	**0.6929**	1,290	120,600	$83,563.74	LOT/PARCEL FRONT FOOTAGE
L0010	CRESTVIEW	~~0.5716~~	**0.5992**	2,309	98,337	$58,923.53	LOT/PARCEL FRONT FOOTAGE
L0011	WESTCHESTER	~~0.4636~~	**0.4886**	4,965	390,553	$190,824.20	LOT/PARCEL FRONT FOOTAGE
L0012	BROWNSVILLE	~~0.4434~~	**0.4665**	4,982	371,296	$173,209.58	LOT/PARCEL FRONT FOOTAGE
L0014	IVES ESTATES	~~0.4868~~	**0.5050**	1,378	106,809	$53,938.55	LOT/PARCEL FRONT FOOTAGE
L0019	BISCAYNE	~~0.4467~~	**0.4989**	2,701	88,408	$44,106.75	LOT/PARCEL FRONT FOOTAGE
L0020	SUNSET PARK	~~0.5440~~	**0.5711**	1,496	85,941	$49,080.91	LOT/PARCEL FRONT FOOTAGE
L0022	PALM SPRINGS NORTH	~~0.4872~~	**0.5278**	2,016	132,818	$70,101.34	LOT/PARCEL FRONT FOOTAGE
L0025	OAKLAND PARK	~~0.3959~~	**0.4486**	387	31,762	$14,248.43	LOT/PARCEL FRONT FOOTAGE
L0026	STAR LAKES	~~0.5083~~	**0.7595**	444	8,526	$6,475.50	LOT/PARCEL FRONT FOOTAGE
L0028	SOUTHWEST SEC. 2	~~0.4344~~	**0.4771**	658	54,272	$25,893.17	LOT/PARCEL FRONT FOOTAGE
L0030	ANDOVER	~~0.4896~~	**0.5058**	1,186	52,501	$26,555.01	LOT/PARCEL FRONT FOOTAGE
L0031	LAKE ARCOLA	~~0.3754~~	**0.4130**	274	22,986	$9,493.22	LOT/PARCEL FRONT FOOTAGE
L0032	SOUTHWEST SECTION 2 1ST ADDITION	~~0.3717~~	**0.3910**	91	7,595	$2,969.65	LOT/PARCEL FRONT FOOTAGE
L0033	STEPHENS MANOR	~~0.4154~~	**0.4569**	504	36,602	$16,723.45	LOT/PARCEL FRONT FOOTAGE
L0034	PARK SHORES	~~0.3633~~	**0.4008**	857	70,942	$28,433.55	LOT/PARCEL FRONT FOOTAGE
L0037	MASHTA ISLAND	~~0.3609~~	**0.4119**	80	8,048	$3,314.97	LOT/PARCEL FRONT FOOTAGE
L0038	WESTBROOKE GARDENS	~~0.3908~~	**0.4091**	540	35,624	$14,573.78	LOT/PARCEL FRONT FOOTAGE

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0041	WESTWOOD MANOR	~~0.5016~~	**0.5337**	259	11,498	$6,136.48	LOT/PARCEL FRONT FOOTAGE
L0043	CENTRAL CANAL	~~0.4539~~	**0.4766**	929	69,495	$33,121.32	LOT/PARCEL FRONT FOOTAGE
L0044	ROSE GLEN	~~0.4850~~	**0.5068**	88	8,818	$4,468.96	LOT/PARCEL FRONT FOOTAGE
L0046	NORTHWEST SHORES	~~0.4580~~	**0.5033**	1,314	86,447	$43,508.78	LOT/PARCEL FRONT FOOTAGE
L0047	SABAL PALM	~~0.5676~~	**0.6007**	1,711	86,889	$52,194.22	LOT/PARCEL FRONT FOOTAGE
L0048	KEY BISCAYNE #1	~~0.4705~~	**0.4891**	464	34,941	$17,089.64	LOT/PARCEL FRONT FOOTAGE
L0049	SNAPPER CREEK PARK	~~0.4664~~	**0.4837**	259	28,994	$14,024.40	LOT/PARCEL FRONT FOOTAGE
L0050	HOWARD DRIVE	~~0.4868~~	**0.5180**	543	76,510	$39,632.18	LOT/PARCEL FRONT FOOTAGE
L0051	KEY BISCAYNE #2	~~0.4463~~	**0.4928**	223	18,364	$9,049.78	LOT/PARCEL FRONT FOOTAGE
L0052	MIAMI GARDENS	~~0.4091~~	**0.4464**	1,703	72,677	$32,443.01	LOT/PARCEL FRONT FOOTAGE
L0053	CORAL PINES	~~0.3469~~	**0.3978**	790	71,977	$28,632.45	LOT/PARCEL FRONT FOOTAGE
L0054	FLAMINGO VILLAGE	~~0.3780~~	**0.4131**	381	34,117	$14,093.73	LOT/PARCEL FRONT FOOTAGE
L0055	PEACHTREE LANE	~~0.4407~~	**0.4537**	447	18,077	$8,201.53	LOT/PARCEL FRONT FOOTAGE
L0057	BEL AIRE	~~0.5358~~	**0.5573**	1,076	39,305	$21,904.68	LOT/PARCEL FRONT FOOTAGE
L0060	PINEWOOD PARK	~~0.3766~~	**0.4246**	790	61,384	$26,063.65	LOT/PARCEL FRONT FOOTAGE
L0061	CUTLER RIDGE	~~0.5030~~	**0.5362**	1,753	75,772	$40,628.95	LOT/PARCEL FRONT FOOTAGE
L0062	SIERRA	~~0.4827~~	**0.5074**	1,363	91,112	$46,230.23	LOT/PARCEL FRONT FOOTAGE
L0065	BISCAYNE PINES	~~0.4757~~	**0.5159**	494	31,098	$16,043.46	LOT/PARCEL FRONT FOOTAGE
L0067	ANDERSON HEIGHTS	~~0.4307~~	**0.4454**	803	77,717	$34,615.15	LOT/PARCEL FRONT FOOTAGE
L0068	UNIVERSITY MANOR	~~0.4893~~	**0.5107**	469	29,414	$15,021.73	LOT/PARCEL FRONT FOOTAGE
L0069	SOUTH MIAMI HEIGHTS	~~0.5576~~	**0.5936**	9,535	670,848	$398,215.37	LOT/PARCEL FRONT FOOTAGE
L0071	CUTLER RIDGE ADDITION #1	~~0.4854~~	**0.5240**	5,566	215,387	$112,862.79	LOT/PARCEL FRONT FOOTAGE
L0073	LITTLE RIVER ACRES	~~0.3413~~	**0.3569**	379	29,070	$10,375.08	LOT/PARCEL FRONT FOOTAGE
L0075	BISCAYNE MANNING	~~0.4227~~	**0.4507**	357	34,503	$15,550.50	LOT/PARCEL FRONT FOOTAGE
L0077	BISC MANNING ADDITION #1	~~0.3365~~	**0.3751**	139	15,633	$5,863.94	LOT/PARCEL FRONT FOOTAGE

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0079	TALLAMOODY	~~0.5048~~	**0.5330**	617	32,840	$17,503.72	LOT/PARCEL FRONT FOOTAGE
L0080	LIBERTY PLAZA	~~0.2905~~	**0.3522**	159	17,610	$6,202.24	LOT/PARCEL FRONT FOOTAGE
L0081	LIBERTY HOMES	~~0.5140~~	**0.5554**	1,018	43,272	$24,033.27	LOT/PARCEL FRONT FOOTAGE
L0082	CENTRAL MIAMI ADDITION #1	~~0.4564~~	**0.4963**	307	21,968	$10,902.72	LOT/PARCEL FRONT FOOTAGE
L0084	SCHENLEY PARK	~~0.4202~~	**0.4476**	268	21,701	$9,713.37	LOT/PARCEL FRONT FOOTAGE
L0087	WEST LITTLE RIVER	~~0.3551~~	**0.3956**	577	44,278	$17,516.38	LOT/PARCEL FRONT FOOTAGE
L0088	LEE MANOR	~~0.4687~~	**0.4914**	426	35,585	$17,486.47	LOT/PARCEL FRONT FOOTAGE
L0092	WHITTMANN	~~0.3891~~	**0.4492**	6,361	524,119	$235,434.25	LOT/PARCEL FRONT FOOTAGE
L0093	CANTELOPE	~~0.4040~~	**0.4376**	150	13,931	$6,096.21	LOT/PARCEL FRONT FOOTAGE
L0094	CAPE FLORIDA	~~0.5754~~	**0.6175**	150	16,404	$10,129.47	LOT/PARCEL FRONT FOOTAGE
L0096	RIVERDALE	~~0.5043~~	**0.5207**	716	29,822	$15,528.32	LOT/PARCEL FRONT FOOTAGE
L0102	NORTH COUNTY	~~0.6475~~	**1.6581**	8,460	444,145	$736,436.82	LOT/PARCEL FRONT FOOTAGE
L0103	LITTLE GABLES	~~0.4090~~	**0.4322**	870	64,210	$27,751.56	LOT/PARCEL FRONT FOOTAGE
L0106	BIRD ROAD HIGHLANDS	~~0.2848~~	**0.3084**	843	53,596	$16,529.01	LOT/PARCEL FRONT FOOTAGE
L0108	BISC GARDENS 3RD ADDN	~~0.4454~~	**0.4647**	614	54,843	$25,485.54	LOT/PARCEL FRONT FOOTAGE
L0112	SKY LAKE 1ST ADDITION	~~0.6602~~	**0.7848**	977	9,809	$7,698.10	LOT/PARCEL FRONT FOOTAGE
L0113	ALLAPATTAH	~~0.3307~~	**0.3661**	1,099	98,745	$36,150.54	LOT/PARCEL FRONT FOOTAGE
L0115	HARWOOD VILLAGE	~~0.4273~~	**0.4701**	319	22,331	$10,497.80	LOT/PARCEL FRONT FOOTAGE
L0116	LEE MANOR 1ST ADDITION	~~0.4000~~	**0.4334**	455	39,836	$17,264.92	LOT/PARCEL FRONT FOOTAGE
L0118	CAROL CITY 1ST ADDITION	~~0.4485~~	**0.5067**	206	4,322	$2,189.96	LOT/PARCEL FRONT FOOTAGE
L0127	SEVILLA HEIGHTS	~~0.7407~~	**0.9148**	40	3,360	$3,073.73	LOT/PARCEL FRONT FOOTAGE
L0130	CENTRAL HEIGHTS	~~0.4254~~	**0.4429**	381	30,949	$13,707.31	LOT/PARCEL FRONT FOOTAGE
L0133	EXPRESSWAY INDUST PK	~~0.7569~~	**0.8523**	124	11,651	$9,930.15	LOT/PARCEL FRONT FOOTAGE
L0140	HAPPY FARM ACRES	~~0.4297~~	**0.4565**	481	37,131	$16,950.30	LOT/PARCEL FRONT FOOTAGE
L0149	GOLDEN GLADES	~~0.6693~~	**0.7077**	1,178	19,007	$13,451.25	LOT/PARCEL FRONT FOOTAGE

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0153	ROLLING OAKS	~~0.5291~~	**0.5573**	406	20,777	$11,579.02	LOT/PARCEL FRONT FOOTAGE
L0154	CORAL HIGHLANDS	~~1.1900~~	**1.2532**	199	12,417	$15,560.98	LOT/PARCEL FRONT FOOTAGE
L0162	CORAL TERRACE SECTION 1	~~0.3127~~	**0.3507**	120	8,015	$2,810.86	LOT/PARCEL FRONT FOOTAGE
L0170	INTAG MANOR 1ST ADDITION	~~0.5088~~	**0.5260**	36	2,921	$1,536.45	LOT/PARCEL FRONT FOOTAGE
L0180	WESTGATE GARDENS	~~0.5427~~	**0.5701**	482	28,873	$16,460.50	LOT/PARCEL FRONT FOOTAGE
L0197	MARGARITAS ESTATES SLID	~~0.5860~~	**0.6667**	125	7,669	$5,112.92	LOT/PARCEL FRONT FOOTAGE
L0205	CORAL WEST HEIGHTS SLID	~~0.8041~~	**0.8538**	306	19,758	$16,869.38	LOT/PARCEL FRONT FOOTAGE
L0216	VENETIAN ACRES SLID	~~0.4251~~	**0.4764**	414	22,054	$10,506.53	LOT/PARCEL FRONT FOOTAGE
L0219	COUNTRY LAKE MANORS SLID	~~0.7480~~	**0.8919**	708	51,290	$45,745.55	LOT/PARCEL FRONT FOOTAGE
L0226	MEADOW WD MANOR SEC 8 S	~~0.7991~~	**0.9254**	82	6,792	$6,285.32	LOT/PARCEL FRONT FOOTAGE
L0236	MARBELLA PARK SLID	~~1.2221~~	**1.4900**	687	3,685	$5,490.65	LOT/PARCEL FRONT FOOTAGE
L0242	SUNSET HARBOUR SEC 6 SLID	~~1.3214~~	**1.6338**	36	1,674	$2,734.98	LOT/PARCEL FRONT FOOTAGE
L0243	KRISTINA ESTATES SLID	~~1.4347~~	**1.5717**	78	10,470	$16,455.70	LOT/PARCEL FRONT FOOTAGE
L0249	MEDITERRANIA S.L.I.D.	~~1.0537~~	**1.4386**	113	9,282	$13,353.09	LOT/PARCEL FRONT FOOTAGE
L0255	ROGER HOMES S.L.I.D.	~~1.0518~~	**1.3427**	128	6,640	$8,915.53	LOT/PARCEL FRONT FOOTAGE
L0260	BISCAYNE GARDENS S.L.I.D.	~~0.5749~~	**0.5975**	154	15,251	$9,112.47	LOT/PARCEL FRONT FOOTAGE
L0267	LAKEVIEW S.L.I.D.	~~0.5217~~	**0.5473**	834	60,597	$33,164.74	LOT/PARCEL FRONT FOOTAGE
L0300	MUNNE ROYAL HOMES SLID	~~1.2352~~	**1.2951**	128	5,062	$6,555.80	LOT/PARCEL FRONT FOOTAGE
L0310	FERNAL SUB.SLID	~~0.8117~~	**1.0012**	39	3,091	$3,094.71	LOT/PARCEL FRONT FOOTAGE
L0316	FOREST LAKES SLID	~~1.7532~~	**1.8137**	1,217	27,664	$50,174.20	LOT/PARCEL FRONT FOOTAGE
L0335	CENAL ESTATES S.L.I.D.	~~0.0500~~	**3.3802**	156	20,948	$70,808.43	LOT/PARCEL FRONT FOOTAGE
L0360	MANDY SUBDIVISION	~~0.9257~~	**1.0681**	182	13,399	$14,311.47	LOT/PARCEL FRONT FOOTAGE
L0395	ANTA SUB 1	~~0.6658~~	**1.2818**	15	1,212	$1,553.54	LOT/PARCEL FRONT FOOTAGE
L0397	SHOMA/TAMIAMI 2 SLID	~~1.4069~~	**1.4689**	233	12,030	$17,670.87	LOT/PARCEL FRONT FOOTAGE
L0400	RENEGADE SUB SLID	~~1.1923~~	**1.2742**	60	3,247	$4,137.33	LOT/PARCEL FRONT FOOTAGE

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0459	BRGHT MEADOW	~~0.0500~~	**3.1264**	368	4,144	$12,955.80	LOT/PARCEL FRONT FOOTAGE
L0482	MAJESTIC EST	~~0.9783~~	**1.0167**	478	30,254	$30,759.24	LOT/PARCEL FRONT FOOTAGE
L0522	AUTO NATION	~~0.4146~~	**0.4295**	2	3,335	$1,432.38	LOT/PARCEL FRONT FOOTAGE
L0527	DORAL MEADOWS FIRST	~~0.0500~~	**0.8997**	272	1,995	$1,794.90	LOT/PARCEL FRONT FOOTAGE
L0540	CENT PK EST	~~0.0500~~	**0.9333**	50	931	$868.90	LOT/PARCEL FRONT FOOTAGE
L0552	BALMORAL	~~0.8144~~	**1.9431**	301	1,296	$2,518.26	LOT/PARCEL FRONT FOOTAGE
L0584	SARCO	~~1.6428~~	**1.6929**	13	752	$1,273.06	LOT/PARCEL FRONT FOOTAGE
L0585	DORAL INTL PK	~~0.3381~~	**1.5045**	9	1,472	$2,214.62	LOT/PARCEL FRONT FOOTAGE
L0593	ROYAL LND	~~0.8047~~	**0.9428**	138	11,040	$10,408.51	LOT/PARCEL FRONT FOOTAGE
L0596	COM PRTNR	~~1.5130~~	**3.1667**	9	6,624	$20,976.22	LOT/PARCEL FRONT FOOTAGE
L0597	JUAN DAVID	~~0.7434~~	**1.8625**	7	474	$882.83	LOT/PARCEL FRONT FOOTAGE
L0602	PALACE 1 ADD	~~0.4880~~	**0.8895**	2	974	$866.37	LOT/PARCEL FRONT FOOTAGE
L0613	SUNSET APT	~~0.0500~~	**0.2693**	244	14,889	$4,009.61	LOT/PARCEL FRONT FOOTAGE
L0636	CLC SUB	~~0.9800~~	**1.0519**	5	990	$1,041.38	LOT/PARCEL FRONT FOOTAGE
L0641	LUZ ESTELA SOUTH	~~0.0500~~	**0.6993**	99	6,593	$4,610.48	LOT/PARCEL FRONT FOOTAGE
L0647	PRINCE OF PEACE	~~1.5760~~	**2.5574**	1	884	$2,260.74	LOT/PARCEL FRONT FOOTAGE
L0651	DORAL TERR	~~2.6123~~	**2.8290**	2	1,840	$5,205.36	LOT/PARCEL FRONT FOOTAGE
L0699	COSTA BONITA	~~0.0500~~	**0.4964**	90	680	$337.55	LOT/PARCEL FRONT FOOTAGE
L0708	SAB SUB	~~0.4512~~	**0.9992**	4	330	$329.74	LOT/PARCEL FRONT FOOTAGE
L0710	A.V. SUB	~~0.0500~~	**0.6755**	4	208	$140.50	LOT/PARCEL FRONT FOOTAGE
L0712	PARKVIEW TH PH1	~~0.4396~~	**0.8100**	35	884	$716.04	LOT/PARCEL FRONT FOOTAGE
L0713	PARK LK 1-4	~~1.2515~~	**1.4404**	461	9,000	$12,963.60	LOT/PARCEL FRONT FOOTAGE
L0730	GEFEN EQUITY	~~0.6636~~	**1.2619**	2	843	$1,063.78	LOT/PARCEL FRONT FOOTAGE
L0743	ALADDIN	~~0.0500~~	**3.6518**	8	241	$880.08	LOT/PARCEL FRONT FOOTAGE
L0747	CENTURY PK/VILLA	~~0.3351~~	**0.3525**	770	4,071	$1,435.03	LOT/PARCEL FRONT FOOTAGE

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FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0758	SHOMA COUNTRY CLUB	~~0.0500~~	**3.7418**	411	737	$2,757.71	LOT/PARCEL FRONT FOOTAGE
L0769	OAK RIDGE FALLS 2	~~0.0500~~	**1.4715**	6	1,087	$1,599.52	LOT/PARCEL FRONT FOOTAGE
L0774	KENDALLAND	~~1.4844~~	**1.6126**	436	17,054	$27,501.28	LOT/PARCEL FRONT FOOTAGE
L0778	CAPRI HOMES	~~0.0500~~	**0.5246**	27	1,257	$659.42	LOT/PARCEL FRONT FOOTAGE
L0791	AB @ TAMIAMI TRAIL	~~0.7225~~	**2.1883**	734	36,543	$79,967.05	LOT/PARCEL FRONT FOOTAGE
L0795	ALCO EST @ ADD 1-5	~~0.0500~~	**1.1744**	100	4,910	$5,766.30	LOT/PARCEL FRONT FOOTAGE
L0802	REDLANDS EST	~~1.2317~~	**1.4007**	25	4,121	$5,772.28	LOT/PARCEL FRONT FOOTAGE
L0804	KENDALAND CENTER	~~1.7925~~	**2.2327**	1	907	$2,025.06	LOT/PARCEL FRONT FOOTAGE
L0805	LAURENS POND	~~1.2560~~	**1.5035**	54	2,820	$4,239.87	LOT/PARCEL FRONT FOOTAGE
L0810	REDLANDS COVE	~~1.1245~~	**1.4179**	42	6,147	$8,715.83	LOT/PARCEL FRONT FOOTAGE
L0812	ASA SUB	~~2.8486~~	**3.1699**	3	702	$2,225.27	LOT/PARCEL FRONT FOOTAGE
L0814	MILYA	~~1.2238~~	**1.4925**	28	2,826	$4,217.81	LOT/PARCEL FRONT FOOTAGE
L0828	ROSEWOOD HOMES	~~0.0500~~	**0.9294**	30	1,379	$1,281.64	LOT/PARCEL FRONT FOOTAGE
L0834	HERMILIO SUBDIVISION	~~0.0500~~	**1.3989**	15	993	$1,389.11	LOT/PARCEL FRONT FOOTAGE
L0850	MILLERS LANDING	~~1.4299~~	**1.4889**	5	550	$818.90	LOT/PARCEL FRONT FOOTAGE
L0851	COSTA LINDA CONDO	~~0.0500~~	**0.4108**	239	1,428	$586.62	LOT/PARCEL FRONT FOOTAGE
L0853	KOKI ESTS 1 ADD	~~0.7728~~	**1.4801**	5	507	$750.41	LOT/PARCEL FRONT FOOTAGE
L0857	NORTH PALM ESTATES	~~1.1150~~	**1.2784**	156	8,767	$11,207.73	LOT/PARCEL FRONT FOOTAGE
L0861	NORTH LAKE COMMERCE	~~0.0500~~	**2.3484**	38	717	$1,683.80	LOT/PARCEL FRONT FOOTAGE
L0867	ISABELLA ESTATES	~~0.0500~~	**1.4027**	5	305	$427.82	LOT/PARCEL FRONT FOOTAGE
L0876	MILLER GROVE	~~0.0500~~	**0.5657**	3	330	$186.68	LOT/PARCEL FRONT FOOTAGE
L0877	GEFEN/MAISEL	~~0.5261~~	**0.8093**	10	695	$562.46	LOT/PARCEL FRONT FOOTAGE
L0881	TUSCAN LK VILLAS	~~0.0500~~	**2.2732**	256	1,265	$2,875.60	LOT/PARCEL FRONT FOOTAGE
L0891	COUNTRYSIDE @ 1 ADD	~~1.1608~~	**1.2695**	174	14,441	$18,332.85	LOT/PARCEL FRONT FOOTAGE
L0892	MELQUIADES SUB	~~0.0500~~	**0.5755**	8	896	$515.65	LOT/PARCEL FRONT FOOTAGE

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FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0898	SABRINA TWINHOMES SUB.	~~1.7851~~	**1.9392**	30	1,335	$2,588.83	LOT/PARCEL FRONT FOOTAGE
L0899	COURTS AT TUSCANY PH TWO	~~1.2923~~	**1.5942**	103	1,326	$2,113.91	LOT/PARCEL FRONT FOOTAGE
L0903	CUTLER LK HMS 1	~~0.0500~~	**1.1361**	221	972	$1,104.29	LOT/PARCEL FRONT FOOTAGE
L0912	NOVEMBER HEIGHTS	~~0.8989~~	**2.1417**	8	707	$1,514.18	LOT/PARCEL FRONT FOOTAGE
L0913	KINGS HOMES	~~1.2067~~	**1.4456**	18	1,418	$2,049.86	LOT/PARCEL FRONT FOOTAGE
L0919	ANACO ESTATES	~~0.0500~~	**0.3846**	12	1,418	$545.36	LOT/PARCEL FRONT FOOTAGE

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L0924	SPRING WEST EST	~~0.2888~~	**1.2884**	19	1,559	$2,008.62	LOT/PARCEL FRONT FOOTAGE
L0928	PELICAN BAY/OLD CUTLER LK	~~0.0500~~	**1.6751**	492	13,929	$23,332.47	LOT/PARCEL FRONT FOOTAGE
L0931	MYSTIC FOREST 2	~~0.0500~~	**1.6817**	53	357	$600.37	LOT/PARCEL FRONT FOOTAGE
L0933	IBIS VILLAS @ DORAL	~~0.0500~~	**0.9994**	197	2,702	$2,700.38	LOT/PARCEL FRONT FOOTAGE
L0948	HOMESTAR LANDINGS	~~1.6390~~	**1.9263**	42	2,254	$4,341.88	LOT/PARCEL FRONT FOOTAGE
L0958	COSMOPOLITAN ROADWAY	~~0.0500~~	**0.3677**	19	6,607	$2,429.39	LOT/PARCEL FRONT FOOTAGE
L0961	SARAH NICOLE ESTS	~~0.0500~~	**2.6362**	1	1,200	$3,163.44	LOT/PARCEL FRONT FOOTAGE
L0962	SPICEWOOD	~~0.1934~~	**1.5527**	488	20,778	$32,262.00	LOT/PARCEL FRONT FOOTAGE
L0963	MUSTANG RANCH	~~1.3870~~	**3.0820**	29	3,928	$12,106.10	LOT/PARCEL FRONT FOOTAGE
L0973	VIRGINIA ESTATES	~~1.5819~~	**1.8716**	10	1,440	$2,695.10	LOT/PARCEL FRONT FOOTAGE
L0975	OAKLAND ESTATES	~~1.1800~~	**1.6950**	148	4,404	$7,464.78	LOT/PARCEL FRONT FOOTAGE
L1009	CHRISTYS ESTATES	~~0.0500~~	**0.9709**	45	3,309	$3,212.71	LOT/PARCEL FRONT FOOTAGE
L1014	SOUTH POINT	~~0.0500~~	**0.8274**	8	533	$441.00	LOT/PARCEL FRONT FOOTAGE
L1023	ISLANDS @ DORAL NW	~~0.4734~~	**0.7826**	658	14,439	$11,299.96	LOT/PARCEL FRONT FOOTAGE
L1034	LETI SUB 1 ADD	~~1.0632~~	**1.1527**	18	992	$1,143.48	LOT/PARCEL FRONT FOOTAGE
L1042	GRANADA RANCH ESTATES	~~0.0500~~	**0.6141**	9	1,335	$819.82	LOT/PARCEL FRONT FOOTAGE
L1061	PINEWOOD PARK EXTENSION	~~0.4279~~	**0.5839**	569	49,156	$28,702.19	LOT/PARCEL FRONT FOOTAGE
L1066	DORAL ISLES NORTH SEC 3	~~0.0500~~	**0.9396**	86	671	$630.47	LOT/PARCEL FRONT FOOTAGE
L1068	LEYVA SUBDIVISION	~~0.7470~~	**1.0911**	16	1,242	$1,355.15	LOT/PARCEL FRONT FOOTAGE
L1070	EUROSUITES AT DORAL	~~0.0500~~	**1.6840**	771	1,787	$3,009.31	LOT/PARCEL FRONT FOOTAGE
L1083	JEANNIE FOREST	~~0.3117~~	**1.0420**	64	3,433	$3,577.19	LOT/PARCEL FRONT FOOTAGE
L1092	ABEL HOMES NARANJA VILLAS	~~2.6030~~	**3.0529**	37	912	$2,784.24	LOT/PARCEL FRONT FOOTAGE
L1108	PETERSON	~~0.9689~~	**1.0932**	25	4,444	$4,858.18	LOT/PARCEL FRONT FOOTAGE
L1109	REDLANDS COLONIAL ESTATES	~~0.0500~~	**2.7250**	9	1,175	$3,201.88	LOT/PARCEL FRONT FOOTAGE
L1110	VANY SUBDIVISION	~~0.0500~~	**1.2463**	5	422	$525.94	LOT/PARCEL FRONT FOOTAGE

FISCAL YEAR 2015-16 STREET LIGHTING SPECIAL TAXING DISTRICT
RATES BASED ON FRONT FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
L1121	ENCLAVE @ BLACKPT MARINA	~~0.0500~~	**0.6474**	247	14,329	$9,276.59	LOT/PARCEL FRONT FOOTAGE
L1125	BBE SUBDIVISION	~~1.1390~~	**1.1894**	50	3,391	$4,033.26	LOT/PARCEL FRONT FOOTAGE
L1130	COURTS AT TUSCANY NORTH	~~1.5956~~	**1.7547**	57	896	$1,572.21	LOT/PARCEL FRONT FOOTAGE
L1131	SILVER PALMS PARK	~~0.0500~~	**3.9445**	20	1,193	$4,705.79	LOT/PARCEL FRONT FOOTAGE
L1138	BEACON AT DORAL	~~0.0500~~	**0.9746**	179	1,416	$1,380.03	LOT/PARCEL FRONT FOOTAGE
L1156	CENTURY GARDENS VILLAGE	~~0.7638~~	**1.8705**	278	2,565	$4,797.83	LOT/PARCEL FRONT FOOTAGE
L1174	RIVIERA GRAND ESTATES	~~1.2572~~	**1.5416**	50	3,390	$5,226.02	LOT/PARCEL FRONT FOOTAGE
L1182	GARDEN COVE ESTATES	~~0.0500~~	**1.4068**	9	1,103	$1,551.70	LOT/PARCEL FRONT FOOTAGE
L1185	CASTELLANOS @ CORAL WAY 2	~~0.0500~~	**10.3147**	2	377	$3,888.64	LOT/PARCEL FRONT FOOTAGE
L1199	TUSCANY VILLAS WEST	~~0.0500~~	**0.5205**	104	1,188	$618.35	LOT/PARCEL FRONT FOOTAGE
L1230	SUNSET SQUARE	~~0.0500~~	**1.0605**	3	912	$967.18	LOT/PARCEL FRONT FOOTAGE
L1246	SUNRISE COMMONS	~~0.6278~~	**2.1063**	11	665	$1,400.69	LOT/PARCEL FRONT FOOTAGE
L1276	RIVIERA PREPARATORY SCHOOL	~~0.0500~~	**2.9352**	8	1,007	$2,955.75	LOT/PARCEL FRONT FOOTAGE
L1278	JACKSON SOUTH COMMUNITY HOSPITAL	~~0.0500~~	**0.4641**	4	2,621	$1,216.41	LOT/PARCEL FRONT FOOTAGE
L1280	WOODSIDE OAKS	~~0.0500~~	**1.8525**	4	928	$1,719.12	LOT/PARCEL FRONT FOOTAGE

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

Supplement to
Agenda Item No. 5(G)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Supplemental Information Regarding Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Street Lighting Special Taxing Districts

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This supplemental information is provided to amend the Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Street Lighting Special Taxing Districts listed in Exhibit A for Fiscal Year (FY) 2015-16. Agenda Item 5G lists a total of 904 street lighting districts, of which 196 require a rate increase and 708 remain flat. By amending this ordinance, from a total of 904 street lighting districts, a total of 194 require a rate increase and 710 remain flat.

This Ordinance is amended as follows:

1. Doral Terrace Street Lighting Special Taxing District is being removed from this Ordinance and is being moved to the Flat Rates Ordinance due to a one-time charge that was inadvertently added when creating the budget projection for FY 2015-16.
2. Sarah Nicole Street Lighting Special Taxing District is being removed from this Ordinance and is being moved to the Flat Rates Ordinance due to a delay in the payment of fees from the developer. The district cannot be billed annually until all developer fees are paid to Miami-Dade County.
3. North County Street Lighting Special Taxing District's proposed rates need to be amended (lowered) to correct the cost of a construction project that was inadvertently included twice when creating the budget projection.
4. Sunswept Isles Street Lighting Special Taxing District's proposed rates need to be amended (lowered) to reflect a reduction of construction expenses which have not yet been approved by this Board as follows:

Special Taxing District	Proposed New Rate in Notice Mailed on June 8, 2015	Corrected New Rate
Sunswept Isles	$1.0643	$0.4723
North County	$1.6581	$1.2373

The table below updates the districts remaining at current levels.

	Number of Districts	Number of Folios/ Properties
Flat Rate	710	122,468
Between $0 and $50	154	102,047
Between $51 and $100	17	1,668
Between $101 and $200	6	42
Between $201 and $500	10	230
Between $501 and $1,000	3	4
Over $1,000	4	11

Please note that the number of folios is being revised to adjust for the active folios versus the folios that are either inactive or cancelled which were incorrectly shown in Agenda Item 5G.

Alina T. Hudak
Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: June 25, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Information Regarding Four Ordinances Approving the Rate Setting Process for Special Taxing Districts (Agenda Items 5G, 5H, 5I, and 5J)

During the Tuesday, June 30, 2015, Board of County Commissioners (Board) meeting, the Board will consider four (4) ordinances approving the rate setting process for the Street Lighting, Security Guard, Multipurpose Maintenance, and Capital Improvements/Road Maintenance Special Taxing Districts.

Miami-Dade County's Public Works and Waste Management Department (PWWM) is currently responsible for the management and operation of 1,068 active Special Taxing Districts, which provide lighting, security guard services, and multipurpose maintenance throughout unincorporated Miami-Dade and in several municipalities. This annual rate setting process is required pursuant to Florida Statute 197.3632 and Section 18-14(5) of the Miami-Dade County (County) Code. In the past, this process was noticed as part of the County's annual budget process and homeowners received their notification through the Truth In Millage (TRIM) notice. The County is now required to publicly notice the increase of any non-ad valorem assessment rolls in Special Taxing Districts separately. As required by recent case law, whenever rates are increased property owners must be notified of proposed rate increases. In the case where there is a rate increase, the Board is required to adopt the assessment rolls at a public hearing held between January 1 and September 15.

As many of you know, Special Taxing Districts (Districts) are petitioned for and voted on by the residents within the area or created by developers at the inception of a development project. These districts receive enhanced services beyond those routinely provided by County government and are billed to residents as non-ad valorem assessments. These annual assessments represent a cost share assigned to a group of properties to pay all of the associated expenditures for a specific public service or an improvement which benefits those properties. Assessments are assigned on a "benefit unit" basis as defined when a special taxing district is established. A benefit unit may be a parcel, dwelling, linear foot or other equitable unit. For example, for a guard house district the benefit unit is a developed parcel or lot; for street lighting district the benefit unit is the front linear footage of that lot; and for a multipurpose maintenance district the benefit unit is square footage of that lot.

Agenda item 5H recommends flat rates for 834 out of 1,068 Districts. Agenda items 5G, 5I, and 5J require rate increases. Rate increases are necessary as a result of contractual or CPI cost increases and/or historical rate miscalculations. While 97 percent of the total folios with rate increases are flat or below an annual amount of $100, I am concerned about the impact of *any* increase on our residents. I have met with the County Attorney's Office multiple times to discuss my preference for a phased approach. They have advised that these options are restricted by Charter requirements and, in addition, staff has advised may risk adding costs to the residents of the Districts.

Consistent with State Statute and the County Code, the following actions have been taken specific to these ordinances:

1. On June 2, 2015, the Board approved the above mentioned ordinances on First Reading, thereby commencing the process for rate setting.

2. On June 6, 2015, courtesy letters were mailed to all residents whose districts have a proposed rate increase.

3. Notices of proposed rate increases were mailed to all affected Special Taxing District property owners on June 8, 2015.

4. Newspaper advertisements advising of the public hearing to be held on June 30, 2015 were published in the Miami Herald on Wednesday, June 10, 2015, and Tuesday, June 16, 2015.

5. Notices were posted in all Special Taxing Districts with proposed rate increases.

The County's Audit and Management Services Department, at the request of PWWM, is currently conducting an audit of all special taxing districts. The ongoing audit process and subsequent management review have revealed issues with past management and budgeting/accounting practices that have been and continue to be addressed. Immediately upon discovering these concerns, steps were immediately taken to properly hold staff accountable. The Director of the Special Taxing District Division was removed and the Division was reorganized. The review of operational responsibilities continues to date; however, the past accounting and budget process methodology were reviewed and immediately revised for consistency with County and accounting standards. The fiscal components of the division were transferred under the purview of the PWWM Assistant Director of Administration to ensure greater accountability. Additionally, staff continues to work with the Office of Management and Budget, the Finance Department, the County Attorney's Office, and the Property Appraiser's Office to ensure compliance with proper accounting principles, ensure the appropriate checks and balances, and provide for an appropriate transition to this new rate setting process. It must be noted that special taxing districts' services have been continually provided without interruption during this review process.

PWWM staff has continuously communicated with homeowners associations, interest groups, municipalities and residents. In many cases, outreach has been difficult because Special Taxing District lines do not always mirror established representation groups such as homeowners associations. The new notification process implemented this year has revealed that many homeowners had no knowledge that they lived in a special taxing district.

Since the approval of these ordinances for first reading, two (2) updates must be brought to the Board's attention:

1. The Miami Herald omitted 38 Street Lighting Districts from the County's prepared advertisement on Wednesday, June 10, 2015. While the Miami Herald corrected the error digitally that same day and published the correct Street Lighting advertisement on Thursday, June 11, 2015, the requirement set forth by the State Statute to advertise 20 days before the public hearing was not met.

2. Additionally, 1,213 property owners received incorrect rate information on the Notice of Proposed or Adopted Non-Ad Valorem Assessment mailed on June 8, 2015. While staff re-noticed the affected property owners on Friday, June 12, 2015, the requirement set forth by the State Statute to advertise 20 days before the public hearing was not met.

Therefore, in consultation with the County Attorney's Office, during the public hearing on June 30, 2015, we will respectfully request that:

1. The Board allow the public to give testimony during the public hearing for the four (4) ordinances and continue the public hearing on the regularly scheduled Board meeting on September 1, 2015. This will allow for the re-notification of the affected property owners and re-advertisement of the continuation of the public hearing to September 1, 2015 in order to comply with both the State Statute and the County Code;

2. The Board adopt Agenda Item 5H, which sets the Special Assessment District Rates For Special Taxing Districts remaining flat, including but not limited to Street Lighting, Security Guard, Multipurpose Maintenance, and Capital Improvements/Road Maintenance Special Taxing Districts for FY 2015-2016; and

3. The Board accept the supplemental memoranda that will be distributed as part of the June 30, 2015 Changes Memorandum that will incorporate any adjustments to rates that are a function of work that has continued since the ordinances were heard for First Reading. As of the writing of this memo, the nine adjustments proposed with agenda items 5G, 5H, 5I, and 5J will all be lower or return the rate to the previous year's rate.

We continue to aggressively review the management and operation of the Special Taxing Districts Division. A historical review of past audits demonstrates a complexity of management issues that date back to 1996. The necessary immediate steps to implement corrective actions have been taken and will continue upon the conclusion and review of the audit findings. At the completion of this process, future rate setting will be limited to cost of living requirements or the cost of any improvements requested by residents.

Should you have any questions, please contact Alina T. Hudak, Deputy Mayor and Director of the Public Works and Waste Management Department, at 305-375-2531.

c: Honorable Pedro Garcia, Property Appraiser
R. A. Cuevas, Jr., County Attorney
Office of the Mayor Senior Staff
Jennifer Moon, Director, Office of Management and Budget
Cathy Jackson, Director, Office of Audit and Management Services Department
Blanca Padron, Assistant Director, Finance Department

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date June 30, 2015 BCC Mtg. Date 7/30/15 Agenda Item # Special Taxing Districts 56, 5H, 51, 5J

Subject: Special Taxing Districts.

Name: Raquel Regalado

Address: 1850 SW 36 Ave

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:____ No: X

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :____ No: X

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 06/30/15 BCC Mtg. Date: 6/30 Agenda Item#: 59

Subject: Lighting

Name: James Filso

Address: 10760 NW 5th Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-2015 BCC Mtg. Date: _____ Agenda Item#: 5G

Subject: NON Ad Valorem [illegible] INCREASE

Name: Jack Joseph [illegible]

Address: 9250 S[illegible] [illegible] DR [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: PCC Agenda Item#: 5G

Subject: Non Ad Valorem STD.

Name: DELLIGARDOS

Address: 631 NE 60 St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5G

Subject: street lighting

Name: Ricardo Perez

Address: 2781 NW 101 St MIAMI FL 33147

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: _____ Agenda Item#: BG

Subject: Ad. valorem TAX - street Lighting

Name: Michael Alemany

Address: 14311 SW 151 ct

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☑ No

Do you require an interpreter? NO

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5-30-06 BCC Mtg. Date: _____ Agenda Item#: 5 C 1

Subject: Guard house / tax [illegible] Increase.

Name: Luis A. Gonzalez

Address: 5[illegible] NE 6[illegible] St Miami FL [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30 BCC Mtg. Date: 6-30 Agenda Item#: 5G

Subject: STD

Name: B.J. Chizzik

Address: 2060 NE 194th Terr

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5 G

Subject: Against lighting District in Biscayne

Name: Jean Claude Joachim

Address: 1262 NE 111 terrace

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-2015 BCC Mtg. Date: _____ Agenda Item#: 5G

Subject: Guard House

Name: Ernest Montenegro

Address: 525 NE 51st Miami FL 33137

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter? NO.

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5C

Subject: Ad-Valorem

Name: Armando Lucas

Address: 10425 SW 175 Street

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5G

Subject: Special Taxing District

Name: Andrea Carranza

Address: 15400 SW 160 Street

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5H

Subject: Special Taxing District

Name: Emily STATEN

Address: 14560 Polk St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: _____ BCC Mtg. Date: 6-30 Agenda Item#: 5H

Subject: STD

Name: B.J. Chiszar

Address: 2060 NE 194th Terr

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

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AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 · BCC Mtg. Date: _____ Agenda Item#: 5 I

Subject: Special Taxing District (Morningside).

Name: Debbie Booth

Address: 691 NE 51ST, Miami, FL 33137

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5I

Subject: Special Taxing District (Morningside Guard Gate)

Name: Errol Booker

Address: 681 NE 51 St Miami, Fla 33137

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 30 June 2015 BCC Mtg. Date: 30 June 2015 Agenda Item#: 5 I

Subject: Security Guard Special Taxing District

Name: Mark Alvarez

Address: 625 NE 50 Terrace Miami FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/2015 BCC Mtg. Date: 6/30/2015 Agenda Item#: 5I

Subject: Taxing District - Security Guard

Name: LEANDRO DE ROSSI

Address: 21214 NE 13Th Court, FL 33179

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5I

Subject: Special Taxing District - Security Guard

Name: Lenny Feldman

Address: 20630 NE 22 PL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: [redacted]

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

5I

Today's Date: 6/30 BCC Mtg. Date: _____ Agenda Item#: Special Taxing District 5I guardgate

Subject: Opposition to proposed rate increase

Name: DEBORAH STANSEL

Address: 830 NE 74 Street 33138

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No Represent HOA

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter? No

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 I

Subject: STD [illegible] SAYES

Name: Bill [illegible]

Address: 811 NE 73 ST [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Belle [illegible] Home Owners

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

AGAINST Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date 06-30-15 Meeting: BCC Agenda Item #: 5I

Subject: GUARD HOUSE RATE HIKE

Name: MARK MORRIS

Address: 6361 DOLPHIN DR CORAL GABLES

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30 BCC Mtg. Date: _____ Agenda Item#: Spec. Tax. Dist. Guard Gate 5-I

Subject: GUARD GATE 5-I

Name: Roberta Quinn

Address: 835 NE 74th St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5I

Subject: Guard District Assessment

Name: Ines Pels-Doti

Address: 950 Stillwater Drive MB 33141

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Still water Drive neighborhood Assoc.

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5I

Subject: Guard District Assessment

Name: Carolina Jones

Address: 1101 Stillwater Dr Miami Beach 33141

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Stillwater Drive Neighborhood Assoc.

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5I

Subject: B 237

Name: Alfred Sasiadek

Address: 463 NE 55 Terrace

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Morningside Civic Association

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5I / 5G

Subject: Special Tax Increase Roving Patrol / Lighting

Name: Lawrence L Brown

Address: 830 NE 172 ter N Mia 33162

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter? NO

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5/G

Subject: Special Taxing Increase / lighting

Name: Hurlette Brown

Address: 830 NE 172 Ter. Mia 33162

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5G

Subject: Special Taxing District

Name: Jeanette Blocker

Address: 1110 NE 10th St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: AD-Vilion Tax Concerns

Subject:

Name: Samuel A. Thompson
Lula D. Thompson

Address: 19730 NW 62nd PL Zip Code 33015 // 2330-2332 NW 87st. Miami, FL 33147

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No Do Not Wish To Speak (Too Crowded - Contested)

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: _____ Agenda Item#: 5 C

Subject: INCREASE IN TAXES

Name: ANNA I. DEAN

Address: 1801 N. NW. 55th TERRACE; MIAMI, FL 33142

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ■ No

If yes, please list name: N.A.
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ■ No DO NOT WISH TO SPEAK, BUT LISTEN.

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: 6-30-15 Agenda Item#: 5I

Subject: GUARD DISTRICT TAX INCREASE

Name: MARÍA INES DOTI-PELS

Address: 950 Stillwater Dr. Miami Beach, FL 33141

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 06/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 I

Subject: AGAINST INCREASE TAX

Name: SONIA SILVA

Address: 1261 STILLWATER DR

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

Memorandum

(Public Hearing 6-30-15)

Date: June 2, 2015

Agenda Item No. 5(H)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Approving, Adopting and Ratifying Special Assessment District Rates Remaining Flat for Street Lighting, Multipurpose Maintenance, Security Guard and Capital Improvements/Road Maintenance Special Taxing Districts

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached Ordinance pertaining to the proposed rates for the Special Taxing Districts for Street Lighting, Multipurpose Maintenance, Security Guard and Capital Improvements/Road Maintenance Special Taxing Districts listed in Exhibit A for Fiscal Year (FY) 2015-16. All lots and parcels within these districts are unique due to their geographical boundaries, affected property owners and level of services provided. Therefore, approval of this ordinance is required to continue providing services for all lots and parcels within the Street Lighting, Multipurpose Maintenance, Security Guard, and Capital Improvements/Road Maintenance Special Taxing Districts. The Public Works and Waste Management Department has determined, and I concur, that the services provided by these special taxing districts will provide special benefits to properties within each district exceeding the amount of special assessments to be levied. Therefore, it is hereby recommended that the proposed rates being assessed in Exhibit A, which remain at the same levels as in FY 2014-15, be approved and adopted.

In addition to this ordinance, there are three (3) other proposed ordinances related to Special Taxing Districts. One (1) ordinance is adopting and ratifying non-ad valorem assessment rolls, rates and assessments for Street Lighting Special Taxing Districts that require increasing. A second ordinance is adopting and ratifying non-ad valorem assessment rolls, rates and assessments for Security Guard Special Taxing Districts that require increasing. A third ordinance is adopting and ratifying non-ad valorem assessment rolls, rates and assessments for Multipurpose Maintenance Special Taxing Districts that require increasing.

Of the total 1,068 active Special Taxing Districts, a total of 234 require a rate increase and 834 remain flat.

SCOPE

The scope of this item extends Countywide.

FISCAL IMPACT/FUNDING SOURCE

There will be no financial impact to the General Fund. Any financial impact would be absorbed by the property owners affected by the special assessments.

TRACKING

The implementation and operation of the Special Taxing Districts are monitored by Michael R. Bauman, Chief, Causeways and Special Taxing Districts Division, Public Works and Waste Management Department (PWWM) and the financials are overseen by Aneisha Daniel, Assistant Director, Fiscal and Internal Services, PWWM.

BACKGROUND

The Special Taxing Districts have been created throughout Miami-Dade County (County) to provide public improvements and special services at the request of the residents or developers. Chapters 18 and 28 of the County Code provide for the legal framework of Special Taxing Districts. Improvements and services currently provided through Special Taxing Districts include:

- Street Lighting - created in existing communities at their request and mandated by Code in new subdivisions
- Multipurpose Maintenance – includes, but is not limited to, landscape and lake maintenance, maintenance of swales, walls and graffiti abatement for walls within or abutting the public right-of-way line
- Security Guard - provided by either stationary and/or roving patrol manned by off-duty police officers or commercial guards
- Capital Improvements/Road Maintenance - provides for one (1) time upgrades or improvements within public right-of-way; examples include water/sewer, drainage, utilities and other roadway improvements

Special Taxing Districts are petitioned for by the property owners within the district boundaries, approved by the Board and ratified by the qualified electorate within those boundaries. The improvements are paid for by the property owners through special assessments collected through the annual combined real property tax bill pursuant to Florida Statute 197.3632. All improvements or services must be public, usually provided within public right-of-way or public property, and therefore, no person will be prohibited access to a Special Taxing District.

The County is currently responsible for the management and operation of 1,068 active Special Taxing Districts. There are currently 904 active Street Light Districts, 44 Security Guard Districts, 117 Multipurpose Maintenance Districts, and three (3) Capital Improvements/Road Maintenance Districts located within the County. The assessments for the Street Lighting, Multipurpose Maintenance, Security Guard and Capital Improvements/Road Maintenance Special Taxing Districts provided in Exhibit A remain at the same levels as in FY 2014-15. The table below provides a brief summary of the districts remaining at current levels. Exhibit A attached provides the detail of each rate recommendation.

	Number of Districts' Assessment Remaining at Fiscal Year 2014-15 Levels	Number of Folios/ Properties
Street Lighting Districts	708	122,032
Multipurpose Maintenance Districts	112	30,263
Security Guard Districts	11	2,325
Capital Improvements/ Road Maintenance Districts	3	488

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(H)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(H)
6-30-15

ORDINANCE NO. _____

ORDINANCE APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT RATES FOR SPECIAL TAXING DISTRICTS, INCLUDING BUT NOT LIMITED TO, STREET LIGHTING, MULTIPURPOSE MAINTENANCE, SECURITY GUARD, AND CAPITAL IMPROVEMENTS/ROAD MAINTENANCE SPECIAL TAXING DISTRICTS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; AND PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, because these non-ad valorem assessments are being collected for more than one year, and because the rates have not been increased, notice of these assessments will be provided to taxpayers by including the assessments in the Property Appraiser's notice of proposed property taxes and proposed or adopted non-ad valorem assessments, pursuant to Florida Statute 197.3632(6),

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The annual Special Taxing District rates as reflected in Exhibit A, for special taxing districts including but not limited to, street lighting, multipurpose maintenance, security guard, and capital improvements/road maintenance, are approved and made a part hereof. These rates for the Special Taxing Districts are hereby levied for the 2015-16 fiscal year.

Section 2. Unless otherwise prohibited by law, this ordinance shall supersede all enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions in the Code of Miami-Dade County in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Ordinance 07-45, as amended.

Section 3. 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 4. 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 5. It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

Jorge Martinez-Esteve

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
G0143	PALM & HIBISCUS ISLANDS	333	1,625.0900	293.03	$476,200.12	SQUARE FOOTAGE LOT/PARCEL
G0157	MIAMI LAKES LOCH LOMAND	191	2,241.6100	186.50	$418,060.27	SQUARE FOOTAGE LOT/PARCEL
G0189	BELLE MEADE ISL SECUR GRD	53	4,201.6200	53.00	$222,685.86	SQUARE FOOTAGE LOT/PARCEL
G0191	NO DADE CTY CLUB/ANDOVER	2148	355.3700	1,089.66	$387,232.47	SQUARE FOOTAGE LOT/PARCEL
G0197	SANS SOUCI SECURITY GUARD	236	1,396.0200	233.50	$325,970.67	SQUARE FOOTAGE LOT/PARCEL
G0205	NORTH BAY IS SEC GUARD	153	1,478.7500	150.00	$221,812.50	SQUARE FOOTAGE LOT/PARCEL
G0229	COCOPLUM PHASE I SEC	152	1,641.4800	147.50	$242,118.30	SQUARE FOOTAGE LOT/PARCEL
G0232	FOUR WAY LODGE EST.SEC.GD	43	4,517.2600	41.50	$187,466.29	SQUARE FOOTAGE LOT/PARCEL
G0236	BRICKELLS FLAGLER	37	5,359.8600	34.50	$184,915.17	SQUARE FOOTAGE LOT/PARCEL
G0241	ENTRADA SECURITY GUARD	41	5,849.0800	38.00	$222,265.04	SQUARE FOOTAGE LOT/PARCEL
G0242	FAIRHAVEN ROV PAT SEC GD	57	1,839.5800	54.50	$100,257.11	SQUARE FOOTAGE LOT/PARCEL
L0001	SCOTT LAKE MANOR	2733	0.5041	117,955.00	$59,461.12	SQUARE FOOTAGE LOT/PARCEL
L0013	CAROL CITY	9537	0.4117	818,687.00	$337,053.44	SQUARE FOOTAGE LOT/PARCEL
L0015	SCOTT LAKE MANOR EAST	7686	0.4204	345,675.00	$145,321.77	SQUARE FOOTAGE LOT/PARCEL
L0016	ENCHANTED LAKE	70	0.8731	6,380.00	$5,570.38	SQUARE FOOTAGE LOT/PARCEL
L0018	COLONIAL DRIVE	3511	0.6009	311,530.00	$187,198.38	SQUARE FOOTAGE LOT/PARCEL
L0024	VILLAGE GREEN	2001	0.4463	159,785.00	$71,312.05	SQUARE FOOTAGE LOT/PARCEL
L0027	SKY LAKE	809	0.5235	74,204.00	$38,845.79	SQUARE FOOTAGE LOT/PARCEL
L0029	WEST BROOKE	124	0.4895	10,310.00	$5,046.75	SQUARE FOOTAGE LOT/PARCEL
L0035	TOWN PARK ADDITION 1	120	0.5144	9,961.00	$5,123.94	SQUARE FOOTAGE LOT/PARCEL
L0036	KENDALLWOOD	235	0.4484	25,345.00	$11,364.70	SQUARE FOOTAGE LOT/PARCEL
L0039	STONEYBROOK	451	0.4113	21,043.00	$8,654.99	SQUARE FOOTAGE LOT/PARCEL
L0040	LIBERTY CITY	2774	0.4762	231,572.00	$110,274.59	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0042	HIGHLAND/SPARLING	848	0.5644	76,865.00	$43,382.61	SQUARE FOOTAGE LOT/PARCEL
L0056	MITCHELL LAKE	99	0.5426	7,593.00	$4,119.96	SQUARE FOOTAGE LOT/PARCEL
L0058	LAURELL HILL PARK	276	0.5292	23,784.00	$12,586.49	SQUARE FOOTAGE LOT/PARCEL
L0059	GOULDS	2005	0.5434	168,463.00	$91,542.79	SQUARE FOOTAGE LOT/PARCEL
L0063	VILLAGE GREEN UNDERGROUND	348	0.6665	29,148.00	$19,427.14	SQUARE FOOTAGE LOT/PARCEL
L0064	PALM SPRINGS NORTH UNDERGROUND	347	0.7081	27,123.00	$19,205.80	SQUARE FOOTAGE LOT/PARCEL
L0066	RANA PARK	160	0.5296	13,460.00	$7,128.42	SQUARE FOOTAGE LOT/PARCEL
L0070	HIGHLAND GARDENS	163	0.7682	14,704.00	$11,295.61	SQUARE FOOTAGE LOT/PARCEL
L0072	DARLINGTON MANOR	615	0.5006	52,769.00	$26,416.16	SQUARE FOOTAGE LOT/PARCEL
L0074	CENTRAL MIAMI	351	0.5291	25,969.00	$13,740.20	SQUARE FOOTAGE LOT/PARCEL
L0076	LAKE LUCERNE	1050	0.5567	37,888.00	$21,092.25	SQUARE FOOTAGE LOT/PARCEL
L0078	ANDOVER ADDITION #1	2033	0.5835	24,372.00	$14,221.06	SQUARE FOOTAGE LOT/PARCEL
L0083	NARANJA LAKES	1263	0.6978	12,743.00	$8,892.07	SQUARE FOOTAGE LOT/PARCEL
L0085	RICHMOND HEIGHTS ADDITION #1	484	0.7049	40,542.00	$28,578.06	SQUARE FOOTAGE LOT/PARCEL
L0089	GOLF PARK-MINTON MANOR-FAIRMONT	743	0.4341	67,372.00	$29,246.19	SQUARE FOOTAGE LOT/PARCEL
L0091	BISCAYNE GARDENS ADDITION #2	430	0.3910	42,897.00	$16,772.73	SQUARE FOOTAGE LOT/PARCEL
L0095	SUNSHINE STATE INDUSTRIAL PARK	257	1.1530	39,772.00	$45,857.12	SQUARE FOOTAGE LOT/PARCEL
L0101	WESTBROOK 3RD ADDITION	127	0.5295	10,727.00	$5,679.95	SQUARE FOOTAGE LOT/PARCEL
L0104	INTERNATIONAL GARDENS	4108	0.8169	71,470.00	$58,383.84	SQUARE FOOTAGE LOT/PARCEL
L0114	PRINCETONIA	1105	0.8017	64,286.00	$51,538.09	SQUARE FOOTAGE LOT/PARCEL
L0125	COSTALL DORAL EAST	658	0.2875	23,082.00	$6,636.08	SQUARE FOOTAGE LOT/PARCEL
L0128	LAKE PARK	1212	0.4468	16,157.00	$7,218.95	SQUARE FOOTAGE LOT/PARCEL
L0129	LOYOLA-WESTBROOKE	100	0.6796	8,394.00	$5,704.56	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0132	BIRD SOUTH	35	0.5877	2,838.00	$1,667.89	SQUARE FOOTAGE LOT/PARCEL
L0136	EAST GOLF PARK	621	0.4617	54,226.00	$25,036.14	SQUARE FOOTAGE LOT/PARCEL
L0137	LAZARUS ON RICHMOND	157	0.7913	12,923.00	$10,225.97	SQUARE FOOTAGE LOT/PARCEL
L0138	CORAL WAY ESTATES	274	0.4541	18,557.00	$8,426.73	SQUARE FOOTAGE LOT/PARCEL
L0139	THE HAMMOCKS	5877	1.5501	70,492.00	$109,269.65	SQUARE FOOTAGE LOT/PARCEL
L0142	WEST FLAGLER ESTATES	135	0.6179	6,185.00	$3,821.71	SQUARE FOOTAGE LOT/PARCEL
L0145	MONIQUE	36	0.6289	3,617.00	$2,274.73	SQUARE FOOTAGE LOT/PARCEL
L0147	SKY LAKE HOMES	111	0.8538	9,019.00	$7,700.42	SQUARE FOOTAGE LOT/PARCEL
L0150	COUNTRY CLUB OF MIAMI EST	711	0.7211	55,350.00	$39,912.89	SQUARE FOOTAGE LOT/PARCEL
L0151	TAMIAMI LAKES	1780	0.5211	69,297.00	$36,110.67	SQUARE FOOTAGE LOT/PARCEL
L0155	TWIN HOMES ESTATES	191	0.4880	5,444.00	$2,656.67	SQUARE FOOTAGE LOT/PARCEL
L0156	SUNSET HOMES	105	0.7519	8,621.00	$6,482.13	SQUARE FOOTAGE LOT/PARCEL
L0160	WINSTON PARK	2449	0.9811	131,946.00	$129,452.22	SQUARE FOOTAGE LOT/PARCEL
L0165	WESTBROOKE ADDITION #5	57	0.6551	4,782.00	$3,132.69	SQUARE FOOTAGE LOT/PARCEL
L0166	BENT TREE SECTION 3	280	0.6574	5,610.00	$3,688.01	SQUARE FOOTAGE LOT/PARCEL
L0167	TORREMOLINOS	29	0.6091	2,465.00	$1,501.43	SQUARE FOOTAGE LOT/PARCEL
L0168	PINE WOOD MANOR	95	0.8067	6,910.00	$5,574.30	SQUARE FOOTAGE LOT/PARCEL
L0169	LITTLE PLANT OF MIAMI	455	0.5957	36,105.00	$21,507.75	SQUARE FOOTAGE LOT/PARCEL
L0172	BEVERLY ESTATES	268	0.9094	14,215.00	$12,927.12	SQUARE FOOTAGE LOT/PARCEL
L0174	WEST CHERRY GROVE	122	1.1436	4,812.00	$5,503.00	SQUARE FOOTAGE LOT/PARCEL
L0175	BILBAO ESTATES SLID IMP	199	0.6477	8,957.00	$5,801.45	SQUARE FOOTAGE LOT/PARCEL
L0176	LAS PALMAS SLID IMP	238	0.8034	14,907.00	$11,976.28	SQUARE FOOTAGE LOT/PARCEL
L0179	HIGHLAND LAKES ESTATES	29	0.4658	2,545.00	$1,185.46	SQUARE FOOTAGE LOT/PARCEL

9

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0181	THE FALLS SLID	11	2.3824	4,998.00	$11,907.24	SQUARE FOOTAGE LOT/PARCEL
L0182	WESTWIND LAKES	1394	0.7875	71,922.00	$56,638.58	SQUARE FOOTAGE LOT/PARCEL
L0185	ROYALE GREEN TOWNHOUSE	854	1.1997	38,577.00	$46,280.83	SQUARE FOOTAGE LOT/PARCEL
L0189	GEM HOMES	358	0.7611	29,229.00	$22,246.19	SQUARE FOOTAGE LOT/PARCEL
L0190	DORAL PARK	3799	2.0334	20,129.00	$40,930.31	SQUARE FOOTAGE LOT/PARCEL
L0193	LKS OF AVALON SLID IMP	652	1.6165	10,097.00	$16,321.80	SQUARE FOOTAGE LOT/PARCEL
L0195	MEADOW WOOD MANOR SEC-4	295	1.1606	24,486.00	$28,418.45	SQUARE FOOTAGE LOT/PARCEL
L0196	NO DADE CTY CLUB SLID	1782	0.8269	59,951.00	$49,573.48	SQUARE FOOTAGE LOT/PARCEL
L0202	RUSTIC LAKES SLID	39	0.9093	3,129.00	$2,845.20	SQUARE FOOTAGE LOT/PARCEL
L0203	SUNSET WEST SLID	712	1.0689	33,502.00	$35,810.29	SQUARE FOOTAGE LOT/PARCEL
L0210	THE LAKES SLID	365	1.5185	8,864.00	$13,459.98	SQUARE FOOTAGE LOT/PARCEL
L0213	ROYALE GREEN SECTION ONE	730	0.9222	37,321.00	$34,417.43	SQUARE FOOTAGE LOT/PARCEL
L0215	AIR PARK INDUSTRIAL SLID	103	0.8205	5,837.00	$4,789.26	SQUARE FOOTAGE LOT/PARCEL
L0218	R.J. KATZ SLID	118	0.8954	10,099.00	$9,042.64	SQUARE FOOTAGE LOT/PARCEL
L0221	BEN GRANOFF PARK SLID	29	1.0897	3,799.00	$4,139.77	SQUARE FOOTAGE LOT/PARCEL
L0222	STRAWBERRY FIELD HMS SLID	246	0.9645	12,263.00	$11,827.66	SQUARE FOOTAGE LOT/PARCEL
L0223	GARSON SUB SECT ONE SLID	78	0.7845	4,200.00	$3,294.90	SQUARE FOOTAGE LOT/PARCEL
L0225	MEADOW WD MNRS SEC 8 N	40	1.0018	3,481.00	$3,487.27	SQUARE FOOTAGE LOT/PARCEL
L0229	WESTCHESTER PARK SLID	49	0.6704	3,137.00	$2,103.04	SQUARE FOOTAGE LOT/PARCEL
L0230	SOUTH SPRINGS HOMES SLID	22	1.3954	2,681.00	$3,741.07	SQUARE FOOTAGE LOT/PARCEL
L0231	OAK PARK SLID	560	0.7275	39,475.00	$28,718.06	SQUARE FOOTAGE LOT/PARCEL
L0232	CALIFORNIA HILLS SLID	186	0.7648	10,512.00	$8,039.58	SQUARE FOOTAGE LOT/PARCEL
L0233	RIVIERA SOUTH SLID	42	0.9201	2,266.00	$2,084.95	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0235	PLEASURE VILLAGE SO SLID	35	1.0253	3,010.00	$3,086.15	SQUARE FOOTAGE LOT/PARCEL
L0237	CUTLER CNTRY GROVES SLID	80	1.5371	4,887.00	$7,511.81	SQUARE FOOTAGE LOT/PARCEL
L0238	DADELAND PARK SLID	59	1.3317	5,341.00	$7,112.61	SQUARE FOOTAGE LOT/PARCEL
L0239	BIRD LK SO SEC ONE	100	1.1125	5,720.00	$6,363.50	SQUARE FOOTAGE LOT/PARCEL
L0240	BIRD LK SO SEC THREE	210	0.8955	11,400.00	$10,208.70	SQUARE FOOTAGE LOT/PARCEL
L0241	MY FIRST HOME SLID	136	0.6745	7,211.00	$4,863.82	SQUARE FOOTAGE LOT/PARCEL
L0244	BIRD LAKES SOUTH ADD.3	52	0.7067	2,677.00	$1,891.84	SQUARE FOOTAGE LOT/PARCEL
L0245	MEADOWWOOD MANOR SEC.9	169	0.7977	14,262.00	$11,376.80	SQUARE FOOTAGE LOT/PARCEL
L0246	BIRD ESTATES S.L.I.D.	37	1.0615	2,238.00	$2,375.64	SQUARE FOOTAGE LOT/PARCEL
L0248	ANDRADE SUB.	60	0.7712	3,576.00	$2,757.81	SQUARE FOOTAGE LOT/PARCEL
L0250	AMERICAS AT MILLER SLID	83	0.9686	4,198.00	$4,066.18	SQUARE FOOTAGE LOT/PARCEL
L0252	LIMEWOOD GROVE S.L.I.D.	239	1.1961	21,552.00	$25,778.35	SQUARE FOOTAGE LOT/PARCEL
L0253	WEITZER KILLIAN PL SLID	38	0.8082	3,787.00	$3,060.65	SQUARE FOOTAGE LOT/PARCEL
L0254	VISTA SUBDIVISION SLID	208	0.9922	13,685.00	$13,578.26	SQUARE FOOTAGE LOT/PARCEL
L0256	MUNNE ESTATES S.L.I.D.	71	0.8944	4,123.00	$3,687.61	SQUARE FOOTAGE LOT/PARCEL
L0259	AMERICAN HOMES S.L.I.D.	193	1.3462	11,777.00	$15,854.20	SQUARE FOOTAGE LOT/PARCEL
L0261	MONASTERIO SUB.S.L.I.D.	29	1.5521	1,692.00	$2,626.15	SQUARE FOOTAGE LOT/PARCEL
L0264	BEACON CENTRE S.L.I.D.	107	1.3418	19,502.00	$26,167.78	SQUARE FOOTAGE LOT/PARCEL
L0265	FLAMINGO FARMS ESTS.	44	1.5487	4,917.00	$7,614.96	SQUARE FOOTAGE LOT/PARCEL
L0266	DADELAND FOREST ESTS SLID	16	0.6745	1,401.00	$944.97	SQUARE FOOTAGE LOT/PARCEL
L0268	VILLA SEVILLA S.L.I.D.	129	0.9098	6,751.00	$6,142.06	SQUARE FOOTAGE LOT/PARCEL
L0269	ROEL SUBDIVISION S.L.I.D.	47	0.9626	3,192.00	$3,072.62	SQUARE FOOTAGE LOT/PARCEL
L0270	SKY LAKE HOMES 2ND ADD	33	0.9544	2,621.00	$2,501.48	SQUARE FOOTAGE LOT/PARCEL

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BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0271	BLUE HEAVEN LANDING SLID	24	0.8044	1,131.00	$909.78	SQUARE FOOTAGE LOT/PARCEL
L0273	RIVERBEND S.L.I.D.	321	0.7951	28,397.00	$22,578.45	SQUARE FOOTAGE LOT/PARCEL
L0275	REDLANDS EDGE S.L.I.D.	96	0.0768	7,959.00	$611.25	SQUARE FOOTAGE LOT/PARCEL
L0276	MEADOW WOOD MNR. SECT.10	81	1.0494	6,368.00	$6,682.58	SQUARE FOOTAGE LOT/PARCEL
L0277	FOREST VIEW SUB.S.L.I.D.	217	1.0703	12,297.00	$13,161.48	SQUARE FOOTAGE LOT/PARCEL
L0278	P.I. ESTATES S.L.I.D.	59	1.2184	4,816.00	$5,867.81	SQUARE FOOTAGE LOT/PARCEL
L0279	ROYAL CUTLER ESTS SLID	21	1.7095	2,361.00	$4,036.13	SQUARE FOOTAGE LOT/PARCEL
L0280	ALLISON ESTS.S.L.I.D.	16	1.5659	2,007.00	$3,142.76	SQUARE FOOTAGE LOT/PARCEL
L0281	BARIMA ESTS.S.L.I.D.	77	1.2602	8,253.00	$10,400.43	SQUARE FOOTAGE LOT/PARCEL
L0283	MIRELDA ESTATES S.L.I.D.	54	1.4378	6,318.00	$9,084.02	SQUARE FOOTAGE LOT/PARCEL
L0284	NAROCA ESTATES SLID	165	1.3157	9,082.00	$11,949.19	SQUARE FOOTAGE LOT/PARCEL
L0285	BIRD LAKES SO. SEC 4 SLID	142	0.7762	7,997.00	$6,207.27	SQUARE FOOTAGE LOT/PARCEL
L0287	CUTLER CTRY GROVE 1ST ADD	124	1.9347	8,955.00	$17,325.24	SQUARE FOOTAGE LOT/PARCEL
L0289	SHOMAR SUBDIVISION SLID	20	0.8931	1,745.00	$1,558.46	SQUARE FOOTAGE LOT/PARCEL
L0290	VENEZIA HOMES ESTS SLID	242	0.7944	12,790.00	$10,160.38	SQUARE FOOTAGE LOT/PARCEL
L0291	COVENTRY S.L.I.D.	34	3.7771	3,211.00	$12,128.27	SQUARE FOOTAGE LOT/PARCEL
L0292	MICHELLE WOODS S.L.I.D.	15	1.8069	2,119.00	$3,828.82	SQUARE FOOTAGE LOT/PARCEL
L0296	MONACO ESTATES S.L.I.D.	49	1.0954	3,600.00	$3,943.44	SQUARE FOOTAGE LOT/PARCEL
L0297	AMERICAN HOMES 1 ADDITION	163	1.2039	10,300.00	$12,400.17	SQUARE FOOTAGE LOT/PARCEL
L0298	JACARANDAS/SUNSET SLID	23	1.4410	1,419.00	$2,044.78	SQUARE FOOTAGE LOT/PARCEL
L0301	WEITZER HMOCKS HOMES SLID	237	1.2393	13,219.00	$16,382.31	SQUARE FOOTAGE LOT/PARCEL
L0303	CANTON SUB SLID	47	1.2926	2,688.00	$3,474.51	SQUARE FOOTAGE LOT/PARCEL
L0304	ADVENTURE HMS SLID	425	0.9735	23,026.00	$22,415.81	SQUARE FOOTAGE LOT/PARCEL

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L0305	OAKS AND PINES	10	1.4999	1,077.00	$1,615.39	SQUARE FOOTAGE LOT/PARCEL
L0308	PINE NEEDLE EAST SLID	26	0.0500	1,842.00	$92.10	SQUARE FOOTAGE LOT/PARCEL
L0309	HARTFORD PL SLID	202	0.8322	17,121.00	$14,248.10	SQUARE FOOTAGE LOT/PARCEL
L0312	BUN PARK S SLID UPGRADE	716	0.5750	26,478.00	$15,224.85	SQUARE FOOTAGE LOT/PARCEL
L0313	RUSTIC LAKES ADD I SLID	77	0.9347	6,339.00	$5,925.06	SQUARE FOOTAGE LOT/PARCEL
L0314	AMERIHOMES S.L.I.D.	94	0.9421	6,670.00	$6,283.81	SQUARE FOOTAGE LOT/PARCEL
L0315	FANTASY HOMES SLID	86	1.0540	4,601.00	$4,849.45	SQUARE FOOTAGE LOT/PARCEL
L0317	BRANDON PARK SLID	310	0.6766	27,753.00	$18,777.68	SQUARE FOOTAGE LOT/PARCEL
L0318	LE MIRAGE SLID	64	1.4297	3,663.00	$5,236.99	SQUARE FOOTAGE LOT/PARCEL
L0319	SHARON EST.SLID	31	0.8547	3,977.00	$3,399.14	SQUARE FOOTAGE LOT/PARCEL
L0320	NELMAR SUB SLID	15	1.2249	1,029.00	$1,260.42	SQUARE FOOTAGE LOT/PARCEL
L0321	CANTON SUB 1 ADD	28	0.8264	1,596.00	$1,318.93	SQUARE FOOTAGE LOT/PARCEL
L0322	BISCAYNE VILLAS SLID	107	0.8882	6,190.00	$5,497.96	SQUARE FOOTAGE LOT/PARCEL
L0324	LAGO DEL MAR SLID	757	2.0217	19,235.00	$38,887.40	SQUARE FOOTAGE LOT/PARCEL
L0326	RAAS SUBDIVISION SLID	26	1.1011	2,241.00	$2,467.57	SQUARE FOOTAGE LOT/PARCEL
L0328	P.V.C.SUB.SLID	19	0.8801	1,640.00	$1,443.36	SQUARE FOOTAGE LOT/PARCEL
L0329	MONACO EST.FIRST ADD.	122	0.9296	7,739.00	$7,194.17	SQUARE FOOTAGE LOT/PARCEL
L0331	SHOMA/KENDALL SLID	168	1.0075	8,362.00	$8,424.72	SQUARE FOOTAGE LOT/PARCEL
L0332	SAN DIEGO SUB 1ST ADD	25	0.9650	1,369.00	$1,321.09	SQUARE FOOTAGE LOT/PARCEL
L0333	DATORRE SLID	51	0.3850	5,083.00	$1,956.96	SQUARE FOOTAGE LOT/PARCEL
L0334	DAXAL SUB SLID	105	1.1502	10,137.00	$11,659.58	SQUARE FOOTAGE LOT/PARCEL
L0336	GB ESTS.SLID	157	1.0662	13,441.00	$14,330.79	SQUARE FOOTAGE LOT/PARCEL
L0338	OAK RDG VILLA SLID	42	0.9115	2,171.00	$1,978.87	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0339	HAMMOCK SHORES SLID	78	0.8479	7,044.00	$5,972.61	SQUARE FOOTAGE LOT/PARCEL
L0340	RICHMOND HOMES SLID	58	0.8429	3,876.00	$3,267.08	SQUARE FOOTAGE LOT/PARCEL
L0341	CARMICHAEL ESTS.SLID	14	0.4978	1,709.00	$850.74	SQUARE FOOTAGE LOT/PARCEL
L0342	MAGNOLIA MANORS SLID	8	1.3460	742.00	$998.73	SQUARE FOOTAGE LOT/PARCEL
L0343	OAK CRK SLID	226	1.2126	8,221.00	$9,968.78	SQUARE FOOTAGE LOT/PARCEL
L0344	GREENDALE SLID	244	0.6922	10,218.00	$7,072.90	SQUARE FOOTAGE LOT/PARCEL
L0346	CORDOBA EST SEC 1	44	1.1078	2,377.00	$2,633.24	SQUARE FOOTAGE LOT/PARCEL
L0347	W KENDALL BEST	914	2.0171	11,152.00	$22,494.70	SQUARE FOOTAGE LOT/PARCEL
L0348	NELFER SUB.SLID	42	1.0349	2,768.00	$2,864.60	SQUARE FOOTAGE LOT/PARCEL
L0349	LE JEUNE TERMINAL SLID	305	0.8301	44,245.00	$36,727.77	SQUARE FOOTAGE LOT/PARCEL
L0350	PERAL SUBDIVISION	126	0.9732	6,374.00	$6,203.18	SQUARE FOOTAGE LOT/PARCEL
L0351	HABITAT HMS S	41	1.2119	3,365.00	$4,078.04	SQUARE FOOTAGE LOT/PARCEL
L0353	ROSMONT SUB 3	6	0.3521	441.00	$155.28	SQUARE FOOTAGE LOT/PARCEL
L0354	KRIZIA SUB 3RD ADD.	12	1.3900	1,037.00	$1,441.43	SQUARE FOOTAGE LOT/PARCEL
L0355	CORAL BD HMS 1	71	1.1692	4,129.00	$4,827.63	SQUARE FOOTAGE LOT/PARCEL
L0356	GOLD DREAM ESTS	11	1.1301	925.00	$1,045.34	SQUARE FOOTAGE LOT/PARCEL
L0357	ARIEN SUB 1&2	35	1.1675	1,914.00	$2,234.60	SQUARE FOOTAGE LOT/PARCEL
L0358	EAGLES POINT SUB.	14	1.6216	935.00	$1,516.20	SQUARE FOOTAGE LOT/PARCEL
L0359	VANESSA RANCH	153	1.1348	9,170.00	$10,406.12	SQUARE FOOTAGE LOT/PARCEL
L0361	PENA SUB SLID	29	1.3257	1,842.00	$2,441.94	SQUARE FOOTAGE LOT/PARCEL
L0362	PAUL MARKS SLID	152	1.4551	6,382.00	$9,286.45	SQUARE FOOTAGE LOT/PARCEL
L0363	SOUTHWIND PNT SLID	61	0.9995	3,395.00	$3,393.30	SQUARE FOOTAGE LOT/PARCEL
L0364	AMIGO SUB SLID	3	0.0500	327.00	$16.35	SQUARE FOOTAGE LOT/PARCEL

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L0366	RIVERIA W SLID	29	1.1843	1,793.00	$2,123.45	SQUARE FOOTAGE LOT/PARCEL
L0367	MAJESTIC HMS SLID	174	1.4166	11,069.00	$15,680.35	SQUARE FOOTAGE LOT/PARCEL
L0368	KRIZIA SUB 4 AD	35	0.9482	3,222.00	$3,055.10	SQUARE FOOTAGE LOT/PARCEL
L0369	HGHLND/KNDLL SLID	80	1.5095	4,206.00	$6,348.96	SQUARE FOOTAGE LOT/PARCEL
L0370	FANTASY ONE SLID	100	1.3306	6,362.00	$8,465.28	SQUARE FOOTAGE LOT/PARCEL
L0371	GORDON ESTS SLID	8	1.3781	1,240.00	$1,708.84	SQUARE FOOTAGE LOT/PARCEL
L0373	VTL SUB SLID	12	1.3672	907.00	$1,240.05	SQUARE FOOTAGE LOT/PARCEL
L0374	TRUVAL W SUB SLID	8	1.2870	406.00	$522.52	SQUARE FOOTAGE LOT/PARCEL
L0375	TRUVAL GDNS SLID	9	1.2337	495.00	$610.68	SQUARE FOOTAGE LOT/PARCEL
L0376	LE CHELLE ESTS	25	2.0615	2,664.00	$5,491.84	SQUARE FOOTAGE LOT/PARCEL
L0377	HAMMOCK SH 2 ADD	75	0.7519	6,285.00	$4,725.69	SQUARE FOOTAGE LOT/PARCEL
L0378	ABBRO SUB SLID	10	1.0388	836.00	$868.44	SQUARE FOOTAGE LOT/PARCEL
L0380	LAGO MAR S SLID	471	2.0304	2,772.00	$5,628.27	SQUARE FOOTAGE LOT/PARCEL
L0381	THOUSAND PINES ST LIGHT	46	1.3642	6,147.00	$8,385.74	SQUARE FOOTAGE LOT/PARCEL
L0382	OAK PARK EST. SEC. 1 SLID	169	0.9813	11,004.00	$10,798.23	SQUARE FOOTAGE LOT/PARCEL
L0383	MONASTERIO ES SE 1	33	2.7622	1,665.00	$4,599.06	SQUARE FOOTAGE LOT/PARCEL
L0384	NATALIE HMS SLID	60	1.1168	3,350.00	$3,741.28	SQUARE FOOTAGE LOT/PARCEL
L0387	COSTA VERDE SLID	765	1.4023	3,186.00	$4,467.73	SQUARE FOOTAGE LOT/PARCEL
L0388	CENTRO VILLA N SLID	34	0.9316	3,135.00	$2,920.57	SQUARE FOOTAGE LOT/PARCEL
L0389	ARIEN SUB SEC 3	30	0.7322	1,740.00	$1,274.03	SQUARE FOOTAGE LOT/PARCEL
L0391	SUPERIOR HM ETS SLID	219	0.6995	12,085.00	$8,453.46	SQUARE FOOTAGE LOT/PARCEL
L0392	MILLER GLEN SUB SLID	30	1.7131	3,273.00	$5,606.98	SQUARE FOOTAGE LOT/PARCEL
L0394	ZAC SUB SLID	16	0.9590	1,184.00	$1,135.46	SQUARE FOOTAGE LOT/PARCEL

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L0396	CORDOBA EST S 2 SLID	57	1.1191	3,266.00	$3,654.98	SQUARE FOOTAGE LOT/PARCEL
L0398	NUNEZ ESTS SLID	4	1.3502	328.00	$442.87	SQUARE FOOTAGE LOT/PARCEL
L0399	W DADE SUB	8	1.1104	752.00	$835.02	SQUARE FOOTAGE LOT/PARCEL
L0401	OAK CRK SO	104	1.2940	7,319.00	$9,470.79	SQUARE FOOTAGE LOT/PARCEL
L0402	ESQUERRO EST SLID	20	1.1432	2,051.00	$2,344.70	SQUARE FOOTAGE LOT/PARCEL
L0403	DORAL EQUES CTR SLID	9	1.1306	345.00	$390.06	SQUARE FOOTAGE LOT/PARCEL
L0404	HILND/KNDL 1	101	1.2340	5,621.00	$6,936.31	SQUARE FOOTAGE LOT/PARCEL
L0406	RICHMD HM 1 AD	29	1.1390	1,936.00	$2,205.10	SQUARE FOOTAGE LOT/PARCEL
L0407	EMERALD POINT SLID	22	1.0588	1,219.00	$1,290.68	SQUARE FOOTAGE LOT/PARCEL
L0408	EAGLES POINT FIRST ADD.	14	1.2206	951.00	$1,160.79	SQUARE FOOTAGE LOT/PARCEL
L0409	MARALEX HMS	184	1.1905	11,159.00	$13,284.79	SQUARE FOOTAGE LOT/PARCEL
L0410	DIMARA SUB SLID	5	2.2004	412.00	$906.56	SQUARE FOOTAGE LOT/PARCEL
L0411	OLD CUTLER HMS	25	0.9861	1,400.00	$1,380.54	SQUARE FOOTAGE LOT/PARCEL
L0412	ASHLY SUB SLID	8	0.6321	740.00	$467.75	SQUARE FOOTAGE LOT/PARCEL
L0413	WEITZER SERENA LKS	558	1.5854	6,155.00	$9,758.14	SQUARE FOOTAGE LOT/PARCEL
L0414	PUNTA GORDA EST	15	1.3614	1,275.00	$1,735.79	SQUARE FOOTAGE LOT/PARCEL
L0415	ARISTOTLE SUB	656	1.1277	32,851.00	$37,046.07	SQUARE FOOTAGE LOT/PARCEL
L0416	KESSLER SEC 1	93	1.1728	7,974.00	$9,351.91	SQUARE FOOTAGE LOT/PARCEL
L0417	GASSER SUB	3	0.9829	394.00	$387.26	SQUARE FOOTAGE LOT/PARCEL
L0418	MIGDALIA SUB SLID	29	0.7190	2,368.00	$1,702.59	SQUARE FOOTAGE LOT/PARCEL
L0419	MOODY DR EST	112	1.3473	6,599.00	$8,890.83	SQUARE FOOTAGE LOT/PARCEL
L0420	MIMI SUB	32	0.8102	2,111.00	$1,710.33	SQUARE FOOTAGE LOT/PARCEL
L0422	MANSION/SUNST2	22	1.4528	2,534.00	$3,681.40	SQUARE FOOTAGE LOT/PARCEL

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BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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L0423	MAYTE SUB	100	0.9639	6,891.00	$6,642.23	SQUARE FOOTAGE LOT/PARCEL
L0424	PA SUNSET	228	0.0500	3,826.00	$191.30	SQUARE FOOTAGE LOT/PARCEL
L0425	PA CORAL REEF	130	0.7206	6,620.00	$4,770.37	SQUARE FOOTAGE LOT/PARCEL
L0427	SNNYVW SUB	72	1.5566	3,797.00	$5,910.41	SQUARE FOOTAGE LOT/PARCEL
L0428	JAR SUB	6	0.7161	784.00	$561.42	SQUARE FOOTAGE LOT/PARCEL
L0430	KESSLER GR 2	88	1.1624	7,041.00	$8,184.46	SQUARE FOOTAGE LOT/PARCEL
L0432	KENELLEN SUB	10	1.9964	660.00	$1,317.62	SQUARE FOOTAGE LOT/PARCEL
L0433	TABOR SLID	10	0.6105	660.00	$402.93	SQUARE FOOTAGE LOT/PARCEL
L0434	STUART INT	2	0.9628	1,201.00	$1,156.32	SQUARE FOOTAGE LOT/PARCEL
L0435	PVC 1	12	0.8267	909.00	$751.47	SQUARE FOOTAGE LOT/PARCEL
L0436	STAR HIGH	4	1.7552	458.00	$803.88	SQUARE FOOTAGE LOT/PARCEL
L0437	HMMK SH 3	73	0.9251	6,164.00	$5,702.32	SQUARE FOOTAGE LOT/PARCEL
L0438	GALLOWAY EST SLID	130	0.6440	1,679.00	$1,081.28	SQUARE FOOTAGE LOT/PARCEL
L0439	RICHLND EST	172	0.9253	13,361.00	$12,362.93	SQUARE FOOTAGE LOT/PARCEL
L0440	ALI SUB SLID	8	0.9015	984.00	$887.08	SQUARE FOOTAGE LOT/PARCEL
L0442	EUREKA CREEK SLID	31	1.2271	2,041.00	$2,504.51	SQUARE FOOTAGE LOT/PARCEL
L0443	KNDL.FAM.1 SLID	197	1.0515	13,185.00	$13,864.03	SQUARE FOOTAGE LOT/PARCEL
L0445	BENSON LKS SLID	105	0.7576	2,630.00	$1,992.49	SQUARE FOOTAGE LOT/PARCEL
L0446	TRANSAL CORP	23	1.7992	3,289.00	$5,917.57	SQUARE FOOTAGE LOT/PARCEL
L0447	WESTPOINTE SLID	54	1.0433	9,346.00	$9,750.68	SQUARE FOOTAGE LOT/PARCEL
L0448	SPAN LKS MULTI	543	1.3503	9,362.00	$12,641.51	SQUARE FOOTAGE LOT/PARCEL
L0449	GALLOWAY GLEN	248	1.5241	37,209.00	$56,710.24	SQUARE FOOTAGE LOT/PARCEL
L0450	MARIEN SUB	60	1.1971	3,479.00	$4,164.71	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0451	QUIRCH SUB	43	1.3240	3,571.00	$4,728.00	SQUARE FOOTAGE LOT/PARCEL
L0452	CORSICA SLID	119	1.2070	9,442.00	$11,396.49	SQUARE FOOTAGE LOT/PARCEL
L0453	MELTON PLAZA	4	1.2742	1,061.00	$1,351.93	SQUARE FOOTAGE LOT/PARCEL
L0454	CORAL BIRD PH 2	48	0.7507	2,706.00	$2,031.39	SQUARE FOOTAGE LOT/PARCEL
L0455	MONACO/MILLER	3	1.9068	545.00	$1,039.21	SQUARE FOOTAGE LOT/PARCEL
L0456	PVC EST	25	0.7003	2,613.00	$1,829.88	SQUARE FOOTAGE LOT/PARCEL
L0457	A/R SUB	8	0.7817	672.00	$525.30	SQUARE FOOTAGE LOT/PARCEL
L0461	COUNTRY PL MALL	2	0.4526	278.00	$125.82	SQUARE FOOTAGE LOT/PARCEL
L0462	CRES SUB SLID	34	0.8255	2,493.00	$2,057.97	SQUARE FOOTAGE LOT/PARCEL
L0466	WEITZER 2	192	1.6369	2,292.00	$3,751.77	SQUARE FOOTAGE LOT/PARCEL
L0467	HARDIN HAMMOCK	3	1.3104	1,974.00	$2,586.73	SQUARE FOOTAGE LOT/PARCEL
L0469	FEREL SUBDIVISION	6	0.8693	530.00	$460.73	SQUARE FOOTAGE LOT/PARCEL
L0470	FEDY ESTATES	5	1.1574	588.00	$680.55	SQUARE FOOTAGE LOT/PARCEL
L0471	MARFER SUBDIVISION	5	2.0306	402.00	$816.30	SQUARE FOOTAGE LOT/PARCEL
L0473	MANGUS SUB	236	1.0705	16,067.00	$17,199.72	SQUARE FOOTAGE LOT/PARCEL
L0475	PEACOCK PT	122	1.8008	720.00	$1,296.58	SQUARE FOOTAGE LOT/PARCEL
L0476	AMORE SUB	16	1.1237	1,412.00	$1,586.66	SQUARE FOOTAGE LOT/PARCEL
L0477	PEDRO ALBERTO SUB.	243	2.5991	684.00	$1,777.78	SQUARE FOOTAGE LOT/PARCEL
L0478	OAK RIDGE FALLS	46	1.6562	1,209.00	$2,002.35	SQUARE FOOTAGE LOT/PARCEL
L0479	SHOMA EST SLID	549	1.1042	31,565.00	$34,854.07	SQUARE FOOTAGE LOT/PARCEL
L0480	BRISTOL OF KENDALL	55	0.9937	216.00	$214.64	SQUARE FOOTAGE LOT/PARCEL
L0481	BRISTOL PK 2	418	0.8710	1,830.00	$1,593.93	SQUARE FOOTAGE LOT/PARCEL
L0483	INTERIAN HMS	4	1.5942	517.00	$824.20	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0484	PELICAN PT	182	0.8343	3,784.00	$3,156.99	SQUARE FOOTAGE LOT/PARCEL
L0485	KNDL VLG WEST	100	1.1366	1,831.00	$2,081.11	SQUARE FOOTAGE LOT/PARCEL
L0486	GRAN CENTRAL SID	73	1.9918	41,046.00	$81,755.42	SQUARE FOOTAGE LOT/PARCEL
L0487	ZENTENO SUB	6	1.5616	575.00	$897.92	SQUARE FOOTAGE LOT/PARCEL
L0488	BARCELONA EST	31	1.1236	2,484.00	$2,791.02	SQUARE FOOTAGE LOT/PARCEL
L0489	NELIA SUB	8	0.9795	716.00	$701.32	SQUARE FOOTAGE LOT/PARCEL
L0490	CTRY LAK MANOR SEC 2 SLID	649	1.2017	52,774.00	$63,418.52	SQUARE FOOTAGE LOT/PARCEL
L0491	MONASTERIO SEC 2	17	1.1851	898.00	$1,064.22	SQUARE FOOTAGE LOT/PARCEL
L0492	CORDOBA EST SEC 4	16	0.9165	972.00	$890.84	SQUARE FOOTAGE LOT/PARCEL
L0493	CADIZ ESTS	8	1.1201	747.00	$836.71	SQUARE FOOTAGE LOT/PARCEL
L0494	CHRISTIANNE ESTS	14	0.0500	1,221.00	$61.05	SQUARE FOOTAGE LOT/PARCEL
L0495	PALMAS/BOSQUE 1 ADD	7	1.3603	591.00	$803.94	SQUARE FOOTAGE LOT/PARCEL
L0496	MED SOUTH	223	1.0900	19,046.00	$20,760.14	SQUARE FOOTAGE LOT/PARCEL
L0498	KESSLER GR 3/4	186	1.2242	18,761.00	$22,967.22	SQUARE FOOTAGE LOT/PARCEL
L0499	LAGUNA SEC 1/2	602	1.1067	37,631.00	$41,646.23	SQUARE FOOTAGE LOT/PARCEL
L0500	WDLD SUB	15	1.2963	2,006.00	$2,600.38	SQUARE FOOTAGE LOT/PARCEL
L0501	VECIN 1 ADD	9	1.9092	614.00	$1,172.25	SQUARE FOOTAGE LOT/PARCEL
L0503	LLAURO SUB	4	1.2822	350.00	$448.77	SQUARE FOOTAGE LOT/PARCEL
L0504	SOUTHVIEW	24	1.2373	1,360.00	$1,682.73	SQUARE FOOTAGE LOT/PARCEL
L0505	HAMMOCKS EST	155	1.1048	11,454.00	$12,654.38	SQUARE FOOTAGE LOT/PARCEL
L0506	SAVANNAH LNDG	19	1.3587	1,150.00	$1,562.51	SQUARE FOOTAGE LOT/PARCEL
L0507	DORAL LNDG	1086	1.8711	6,953.00	$13,009.76	SQUARE FOOTAGE LOT/PARCEL
L0508	HUGHES W SUB	21	2.5175	1,595.00	$4,015.41	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0509	CARIBE LKS PH 1	477	1.7978	904.00	$1,625.21	SQUARE FOOTAGE LOT/PARCEL
L0510	BRISTOL PT	182	0.5791	1,991.00	$1,152.99	SQUARE FOOTAGE LOT/PARCEL
L0512	CASTILLIAN SUB	8	0.7920	698.00	$552.82	SQUARE FOOTAGE LOT/PARCEL
L0514	MARIA GDNS	90	1.7523	5,279.00	$9,250.39	SQUARE FOOTAGE LOT/PARCEL
L0515	MICHELINE SUB. SLID	16	0.9283	384.00	$356.47	SQUARE FOOTAGE LOT/PARCEL
L0516	DORAL ANTILLES	5552	1.5121	23,845.00	$36,056.02	SQUARE FOOTAGE LOT/PARCEL
L0517	CARIBE SUB	13	3.0420	765.00	$2,327.13	SQUARE FOOTAGE LOT/PARCEL
L0518	LAFFITTE SUB	31	1.9285	2,145.00	$4,136.63	SQUARE FOOTAGE LOT/PARCEL
L0519	PALAPALA	12	2.7820	1,410.00	$3,922.62	SQUARE FOOTAGE LOT/PARCEL
L0520	VISCAYA VILLAS	1	1.7829	642.00	$1,144.62	SQUARE FOOTAGE LOT/PARCEL
L0521	ANABAH GDN	2	1.8532	349.00	$646.77	SQUARE FOOTAGE LOT/PARCEL
L0524	MICHELLE MANOR	74	0.9485	5,548.00	$5,262.28	SQUARE FOOTAGE LOT/PARCEL
L0525	LLANOS/BIRD RD	107	0.6814	1,782.00	$1,214.25	SQUARE FOOTAGE LOT/PARCEL
L0526	RAAS 2	9	1.8711	819.00	$1,532.43	SQUARE FOOTAGE LOT/PARCEL
L0528	GOLDVUE EST	325	1.1417	954.00	$1,089.18	SQUARE FOOTAGE LOT/PARCEL
L0529	PVC ESTS 1 ADD	5	0.7418	328.00	$243.31	SQUARE FOOTAGE LOT/PARCEL
L0530	NYURKA EST	17	0.7547	1,045.00	$788.66	SQUARE FOOTAGE LOT/PARCEL
L0531	SAMINIK SUB.	48	1.2498	2,584.00	$3,229.48	SQUARE FOOTAGE LOT/PARCEL
L0532	WEITZER S LK EST	71	0.9307	4,033.00	$3,753.51	SQUARE FOOTAGE LOT/PARCEL
L0533	HAWKSNEST	152	2.8022	648.00	$1,815.83	SQUARE FOOTAGE LOT/PARCEL
L0534	MYSTIC PLACE	53	1.3410	561.00	$752.30	SQUARE FOOTAGE LOT/PARCEL
L0537	GARDEN HILLS SLID	299	1.4555	23,650.00	$34,422.58	SQUARE FOOTAGE LOT/PARCEL
L0539	HEAVENLY EST	6	2.4462	871.00	$2,130.64	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0541	RIVIERA TRACE	212	0.8848	11,734.00	$10,382.24	SQUARE FOOTAGE LOT/PARCEL
L0542	PALM SPRG EST	164	0.9123	13,214.00	$12,055.13	SQUARE FOOTAGE LOT/PARCEL
L0543	SALMA LAKES	82	1.5127	5,626.00	$8,510.45	SQUARE FOOTAGE LOT/PARCEL
L0544	SINOS EST	6	0.8485	575.00	$487.89	SQUARE FOOTAGE LOT/PARCEL
L0545	KENDALL COUNTRY WALK	208	1.0594	12,338.00	$13,070.88	SQUARE FOOTAGE LOT/PARCEL
L0546	COSAR SUB	63	1.4094	4,590.00	$6,469.15	SQUARE FOOTAGE LOT/PARCEL
L0547	BRIDGEPORT	103	0.5292	918.00	$485.81	SQUARE FOOTAGE LOT/PARCEL
L0548	RED GDN	1	3.5505	1,134.00	$4,026.27	SQUARE FOOTAGE LOT/PARCEL
L0549	BENT TREE COM	52	2.2712	923.00	$2,096.32	SQUARE FOOTAGE LOT/PARCEL
L0550	W DADE LAND	45	0.4747	3,131.00	$1,486.29	SQUARE FOOTAGE LOT/PARCEL
L0551	KARENERO	82	0.7655	1,027.00	$786.17	SQUARE FOOTAGE LOT/PARCEL
L0553	WONDERLY	217	1.2797	13,960.00	$17,864.61	SQUARE FOOTAGE LOT/PARCEL
L0554	RES/DORAL	146	1.5259	1,939.00	$2,958.72	SQUARE FOOTAGE LOT/PARCEL
L0555	BEACON AT 97 AVENUE	8	0.2793	1,349.00	$376.78	SQUARE FOOTAGE LOT/PARCEL
L0556	MIAMI INT. BUSN. PARK	188	0.7373	14,637.00	$10,791.86	SQUARE FOOTAGE LOT/PARCEL
L0557	M.I.C.C.	63	1.2030	11,747.00	$14,131.64	SQUARE FOOTAGE LOT/PARCEL
L0558	INTL CORP PK	179	1.4299	21,899.00	$31,313.38	SQUARE FOOTAGE LOT/PARCEL
L0559	BISCAYNE PT S	237	2.2105	856.00	$1,892.19	SQUARE FOOTAGE LOT/PARCEL
L0560	POINCIANA LKS	90	0.7659	616.00	$471.79	SQUARE FOOTAGE LOT/PARCEL
L0561	SAN MARINO	21	1.8664	1,444.00	$2,695.08	SQUARE FOOTAGE LOT/PARCEL
L0562	OLD CUTLER FOREST	18	2.7013	1,388.00	$3,749.40	SQUARE FOOTAGE LOT/PARCEL
L0563	5 STAR	6	0.5832	514.00	$299.76	SQUARE FOOTAGE LOT/PARCEL
L0564	BIG 5	35	0.4516	986.00	$445.28	SQUARE FOOTAGE LOT/PARCEL

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FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0566	PK LK	144	1.1241	8,946.00	$10,056.20	SQUARE FOOTAGE LOT/PARCEL
L0567	IBIS	131	1.7319	692.00	$1,198.47	SQUARE FOOTAGE LOT/PARCEL
L0568	ENCLAVE/DORAL	273	1.7397	1,216.00	$2,115.48	SQUARE FOOTAGE LOT/PARCEL
L0569	MITO	11	2.7542	1,319.00	$3,632.79	SQUARE FOOTAGE LOT/PARCEL
L0570	ZOE MILLER	3	5.0644	184.00	$931.85	SQUARE FOOTAGE LOT/PARCEL
L0571	BONITA GOLF	57	1.9020	1,050.00	$1,997.10	SQUARE FOOTAGE LOT/PARCEL
L0572	MASTRAPA	9	1.1051	639.00	$706.16	SQUARE FOOTAGE LOT/PARCEL
L0577	PALMETTO LKS IND	404	1.1544	47,997.00	$55,407.74	SQUARE FOOTAGE LOT/PARCEL
L0578	DIMAURO SUB	11	0.0844	665.00	$56.13	SQUARE FOOTAGE LOT/PARCEL
L0579	BIRD GDNS	50	1.1155	3,294.00	$3,674.46	SQUARE FOOTAGE LOT/PARCEL
L0580	BRAMAN	2	0.5637	797.00	$449.27	SQUARE FOOTAGE LOT/PARCEL
L0581	CORSICA PL	283	1.8294	18,015.00	$32,956.64	SQUARE FOOTAGE LOT/PARCEL
L0582	DEERING PT	25	1.0889	2,629.00	$2,862.72	SQUARE FOOTAGE LOT/PARCEL
L0583	SUMMERWIND	29	1.4237	1,812.00	$2,579.74	SQUARE FOOTAGE LOT/PARCEL
L0586	HAWKSNEST 1	184	1.3788	681.00	$938.96	SQUARE FOOTAGE LOT/PARCEL
L0587	GARDEN HILLS WEST	384	1.5016	24,818.00	$37,266.71	SQUARE FOOTAGE LOT/PARCEL
L0589	CRES EST	39	0.7210	3,400.00	$2,451.40	SQUARE FOOTAGE LOT/PARCEL
L0590	SYLVIA	6	0.9049	736.00	$666.01	SQUARE FOOTAGE LOT/PARCEL
L0591	KOKI EST	4	1.9144	447.00	$855.74	SQUARE FOOTAGE LOT/PARCEL
L0592	ABACO	4	0.9751	257.00	$250.60	SQUARE FOOTAGE LOT/PARCEL
L0594	ROYAL LND EST	15	1.6545	1,276.00	$2,111.14	SQUARE FOOTAGE LOT/PARCEL
L0599	SIGNATURE	96	0.8807	760.00	$669.33	SQUARE FOOTAGE LOT/PARCEL
L0600	PRES ESTS	189	1.3584	2,436.00	$3,309.06	SQUARE FOOTAGE LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0601	SUNSET LK EST	42	2.4491	663.00	$1,623.75	SQUARE FOOTAGE LOT/PARCEL
L0603	NICOI	1	1.4038	890.00	$1,249.38	SQUARE FOOTAGE LOT/PARCEL
L0604	DAILY FIRST	69	1.1013	669.00	$736.77	SQUARE FOOTAGE LOT/PARCEL
L0605	DORAL COM PK	112	2.0387	2,083.00	$4,246.61	SQUARE FOOTAGE LOT/PARCEL
L0606	SHIRTEE 1/2	699	1.5994	680.00	$1,087.59	SQUARE FOOTAGE LOT/PARCEL
L0611	NOMAR ESTATES	27	0.9530	1,739.00	$1,657.27	SQUARE FOOTAGE LOT/PARCEL
L0612	CANTEL W IND	48	0.7514	660.00	$495.92	SQUARE FOOTAGE LOT/PARCEL
L0614	HWKNST 2	184	1.6265	382.00	$621.32	SQUARE FOOTAGE LOT/PARCEL
L0616	DORAL SAVANNAH	352	1.5235	3,114.00	$4,744.18	SQUARE FOOTAGE LOT/PARCEL
L0617	COSTA DORADA	108	1.7258	676.00	$1,166.64	SQUARE FOOTAGE LOT/PARCEL
L0618	CARTAL SUB	9	0.8375	797.00	$667.49	SQUARE FOOTAGE LOT/PARCEL
L0619	MAYTE S	42	1.0214	3,784.00	$3,864.98	SQUARE FOOTAGE LOT/PARCEL
L0621	ACAPULCO	56	1.2580	3,514.00	$4,420.61	SQUARE FOOTAGE LOT/PARCEL
L0622	EMERALD OAKS	25	1.0148	1,679.00	$1,703.85	SQUARE FOOTAGE LOT/PARCEL
L0623	JEFFERSON AT DORAL	2	1.9603	1,860.00	$3,646.16	SQUARE FOOTAGE LOT/PARCEL
L0624	VILLAS DE BARCELONA	65	0.8942	406.00	$363.05	SQUARE FOOTAGE LOT/PARCEL
L0625	SAN DENIS SAN PEDRO	91	2.4853	5,405.00	$13,433.05	SQUARE FOOTAGE LOT/PARCEL
L0626	DADESKY SUBDIVISION	15	2.0277	1,949.00	$3,951.99	SQUARE FOOTAGE LOT/PARCEL
L0627	MIAMI INTERNATIONAL PARKWAY	95	1.8742	4,926.00	$9,232.31	SQUARE FOOTAGE LOT/PARCEL
L0630	VILLA ESPERANZA	1	2.6859	772.00	$2,073.51	SQUARE FOOTAGE LOT/PARCEL
L0631	COUNTRY PARK ESTATES	25	0.0500	1,342.00	$67.10	SQUARE FOOTAGE LOT/PARCEL
L0632	DAILY SUBDIVISION	57	1.4889	654.00	$973.74	SQUARE FOOTAGE LOT/PARCEL
L0633	VILLA REAL AT DORAL	340	1.8213	324.00	$590.10	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
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BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0635	DON ELIAS ESTATES	81	1.1433	4,815.00	$5,504.99	SQUARE FOOTAGE LOT/PARCEL
L0637	LES JARDINS/SECRET GARDENS	113	2.6179	178.00	$465.99	SQUARE FOOTAGE LOT/PARCEL
L0638	CARLISLE AT DORAL	2	0.7034	660.00	$464.24	SQUARE FOOTAGE LOT/PARCEL
L0639	MANSIONS OF PINE GLENN	12	1.1166	1,311.00	$1,463.86	SQUARE FOOTAGE LOT/PARCEL
L0643	JANE PLAZA	9	0.0500	1,274.00	$63.70	SQUARE FOOTAGE LOT/PARCEL
L0644	MAYITO ESTATES	7	0.0500	497.00	$24.85	SQUARE FOOTAGE LOT/PARCEL
L0645	CORAL REEF NURSERIES	238	1.3267	18,698.00	$24,806.64	SQUARE FOOTAGE LOT/PARCEL
L0646	VILLA CASTILLO	61	0.0500	885.00	$44.25	SQUARE FOOTAGE LOT/PARCEL
L0648	PUERTO BELLO AT DORAL	190	1.2810	688.00	$881.33	SQUARE FOOTAGE LOT/PARCEL
L0649	VALENCIA GROVE	53	1.3532	5,335.00	$7,219.32	SQUARE FOOTAGE LOT/PARCEL
L0650	SHOREWAY SUB	456	1.4876	26,073.00	$38,786.19	SQUARE FOOTAGE LOT/PARCEL
L0652	DEER CREEK	125	0.0500	1,080.00	$54.00	SQUARE FOOTAGE LOT/PARCEL
L0653	REDLAND EAST	8	0.0500	418.00	$20.90	SQUARE FOOTAGE LOT/PARCEL
L0654	PRESERVE/DORAL	132	1.7322	682.00	$1,181.36	SQUARE FOOTAGE LOT/PARCEL
L0655	MARPI HMS	71	1.2956	4,230.00	$5,480.39	SQUARE FOOTAGE LOT/PARCEL
L0656	LUISANGEL	10	0.9946	788.00	$783.74	SQUARE FOOTAGE LOT/PARCEL
L0657	OAK RIDGE 1 ADD	35	1.4993	1,155.00	$1,731.69	SQUARE FOOTAGE LOT/PARCEL
L0658	CRESTVIEW LKS	149	1.7175	9,320.00	$16,007.10	SQUARE FOOTAGE LOT/PARCEL
L0659	PINE NEDLE E 5	22	0.8941	1,759.00	$1,572.72	SQUARE FOOTAGE LOT/PARCEL
L0660	BONITA GOLF 2	218	2.0641	1,487.00	$3,069.32	SQUARE FOOTAGE LOT/PARCEL
L0662	PONCE EST	119	1.4568	6,401.00	$9,324.98	SQUARE FOOTAGE LOT/PARCEL
L0664	HAMPTONS	36	2.8625	276.00	$790.05	SQUARE FOOTAGE LOT/PARCEL
L0665	TRANSAL SERV PK	6	0.6944	2,181.00	$1,514.49	SQUARE FOOTAGE LOT/PARCEL

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FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0666	PARK LK MEADOW 3	43	1.3247	3,633.00	$4,812.64	SQUARE FOOTAGE LOT/PARCEL
L0668	CASTCANA ESTS	8	2.1926	732.00	$1,604.98	SQUARE FOOTAGE LOT/PARCEL
L0669	FC SUB	236	1.0991	12,588.00	$13,835.47	SQUARE FOOTAGE LOT/PARCEL
L0670	KENWOOD ESTATES	5	1.6866	634.00	$1,069.30	SQUARE FOOTAGE LOT/PARCEL
L0671	THE MANSIONS AT SUNSET	75	1.4285	7,228.00	$10,325.20	SQUARE FOOTAGE LOT/PARCEL
L0672	DIMENSION/DORAL	180	1.9988	352.00	$703.58	SQUARE FOOTAGE LOT/PARCEL
L0674	VENETIAN LK	63	1.6186	3,698.00	$5,985.58	SQUARE FOOTAGE LOT/PARCEL
L0676	SUPERIOR TRACE	23	1.5071	1,447.00	$2,180.77	SQUARE FOOTAGE LOT/PARCEL
L0679	BIARRITZ SUB PH 1	112	0.0500	702.00	$35.10	SQUARE FOOTAGE LOT/PARCEL
L0680	BONITA	674	1.2565	6,912.00	$8,684.93	SQUARE FOOTAGE LOT/PARCEL
L0682	BIRD ROAD PROP	33	0.0500	2,454.00	$122.70	SQUARE FOOTAGE LOT/PARCEL
L0683	DIGNA GAS	3	2.3916	403.00	$963.81	SQUARE FOOTAGE LOT/PARCEL
L0684	TWIN LK SHORE	496	0.6704	7,648.00	$5,127.22	SQUARE FOOTAGE LOT/PARCEL
L0686	MIGDALIA 2 ADD	8	0.7243	649.00	$470.07	SQUARE FOOTAGE LOT/PARCEL
L0687	CASA LAGO	61	1.0846	5,106.00	$5,537.97	SQUARE FOOTAGE LOT/PARCEL
L0688	KRIZIA 5 ADD	33	0.7579	2,980.00	$2,258.54	SQUARE FOOTAGE LOT/PARCEL
L0689	MARQUESSA SUB	158	0.0500	1,193.00	$59.65	SQUARE FOOTAGE LOT/PARCEL
L0692	CHANA ROSE	6	2.0614	684.00	$1,410.00	SQUARE FOOTAGE LOT/PARCEL
L0695	LILANDIA SUB	144	1.9426	1,144.00	$2,222.33	SQUARE FOOTAGE LOT/PARCEL
L0696	CARIBBEAN PALMS	48	1.2310	3,467.00	$4,267.88	SQUARE FOOTAGE LOT/PARCEL
L0698	OAKS SOUTH	105	0.9658	11,295.00	$10,908.71	SQUARE FOOTAGE LOT/PARCEL
L0700	LAGO MAR 1	151	1.6009	3,150.00	$5,042.84	SQUARE FOOTAGE LOT/PARCEL
L0701	LAROSE SUB	12	1.2098	754.00	$912.19	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0702	DOLPHIN VIEW	69	1.5574	340.00	$529.52	SQUARE FOOTAGE LOT/PARCEL
L0703	BALANI SUB	72	1.1802	4,634.00	$5,469.05	SQUARE FOOTAGE LOT/PARCEL
L0704	LA ESPADA	135	2.2193	1,474.00	$3,271.25	SQUARE FOOTAGE LOT/PARCEL
L0705	GENSTAR	2	2.4126	908.00	$2,190.64	SQUARE FOOTAGE LOT/PARCEL
L0706	BISMARK HMS	137	2.3098	1,340.00	$3,095.13	SQUARE FOOTAGE LOT/PARCEL
L0707	DORAL CONCOURSE	44	0.0500	1,108.00	$55.40	SQUARE FOOTAGE LOT/PARCEL
L0709	TIFFANY/SUNSET	27	0.0500	390.00	$19.50	SQUARE FOOTAGE LOT/PARCEL
L0711	KAYLAS PL	161	1.2889	11,793.00	$15,200.00	SQUARE FOOTAGE LOT/PARCEL
L0714	MAKO SUB	6	1.1880	700.00	$831.60	SQUARE FOOTAGE LOT/PARCEL
L0715	KAISER SUBDIVISION	8	0.9763	770.00	$751.75	SQUARE FOOTAGE LOT/PARCEL
L0716	PRECIOUS HOMES/LAKES BAY	248	2.6116	732.00	$1,911.69	SQUARE FOOTAGE LOT/PARCEL
L0717	DCP SUBDIVISION FIRST ADD	72	1.1140	678.00	$755.29	SQUARE FOOTAGE LOT/PARCEL
L0718	T & F SUBDIVISION	44	1.4823	3,698.00	$5,481.55	SQUARE FOOTAGE LOT/PARCEL
L0719	YASAMIN SUB	4	0.0500	212.00	$10.60	SQUARE FOOTAGE LOT/PARCEL
L0720	MARTA SUB	8	1.5374	770.00	$1,183.80	SQUARE FOOTAGE LOT/PARCEL
L0721	HIDDEN GROVE	7	1.1111	5,428.00	$6,031.05	SQUARE FOOTAGE LOT/PARCEL
L0722	W LKE EST SUB	106	0.8313	8,594.00	$7,144.19	SQUARE FOOTAGE LOT/PARCEL
L0723	PONCE EST SEC 2	123	1.2406	6,415.00	$7,958.45	SQUARE FOOTAGE LOT/PARCEL
L0725	MYSTIC FOREST	73	3.0066	216.00	$649.43	SQUARE FOOTAGE LOT/PARCEL
L0726	VALENCIA GRV EST	114	0.9550	13,740.00	$13,121.70	SQUARE FOOTAGE LOT/PARCEL
L0729	MILLENIUM	6	1.2527	690.00	$864.36	SQUARE FOOTAGE LOT/PARCEL
L0732	MIRACLE W	29	1.2418	1,984.00	$2,463.73	SQUARE FOOTAGE LOT/PARCEL
L0733	SUNSET LK EST 1/2	120	0.0500	1,368.00	$68.40	SQUARE FOOTAGE LOT/PARCEL

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FLAT RATES
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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0734	BRECKINRIDGE	12	1.1192	1,360.00	$1,522.11	SQUARE FOOTAGE LOT/PARCEL
L0735	PARK LKS MEADOW 4-5	54	1.3919	3,809.00	$5,301.75	SQUARE FOOTAGE LOT/PARCEL
L0736	WATERSEDGE	38	1.2880	2,451.00	$3,156.89	SQUARE FOOTAGE LOT/PARCEL
L0739	G.C.CORP.L.A.D.	11	1.9283	1,178.00	$2,271.54	SQUARE FOOTAGE LOT/PARCEL
L0740	PARK LK MEADOWS 6	48	1.2341	3,954.00	$4,879.63	SQUARE FOOTAGE LOT/PARCEL
L0742	KENDALL HOME DEPOT	2	0.0500	833.00	$41.65	SQUARE FOOTAGE LOT/PARCEL
L0744	KRIZIA SUBDIVISION 1 ADD	66	0.8347	5,630.00	$4,699.36	SQUARE FOOTAGE LOT/PARCEL
L0745	ESTATE HMS	57	1.4560	3,815.00	$5,554.64	SQUARE FOOTAGE LOT/PARCEL
L0746	GABRIELLA EST	6	1.8528	698.00	$1,293.25	SQUARE FOOTAGE LOT/PARCEL
L0748	BIARRITZ 2	116	1.3547	605.00	$819.59	SQUARE FOOTAGE LOT/PARCEL
L0749	REDLANDS FOREST	20	1.3849	2,834.00	$3,924.81	SQUARE FOOTAGE LOT/PARCEL
L0750	MILLER SOUTH	110	2.6552	648.00	$1,720.57	SQUARE FOOTAGE LOT/PARCEL
L0751	SUNSET POINTE	16	2.4745	639.00	$1,581.21	SQUARE FOOTAGE LOT/PARCEL
L0752	NITO EST SUB	12	1.3490	1,322.00	$1,783.38	SQUARE FOOTAGE LOT/PARCEL
L0753	ERICA GARDENS	87	1.4400	4,599.00	$6,622.56	SQUARE FOOTAGE LOT/PARCEL
L0754	CRESTVIEW LKS 1 & 2 ADD	141	1.8457	8,604.00	$15,880.40	SQUARE FOOTAGE LOT/PARCEL
L0755	STEPHANIES SUBD	20	1.4000	1,418.00	$1,985.20	SQUARE FOOTAGE LOT/PARCEL
L0756	CANEROS OAK	3	0.0500	330.00	$16.50	SQUARE FOOTAGE LOT/PARCEL
L0757	MDPD N DIST STAT	4	0.0500	382.00	$19.10	SQUARE FOOTAGE LOT/PARCEL
L0760	LAROC EST	133	0.9545	7,836.00	$7,479.46	SQUARE FOOTAGE LOT/PARCEL
L0761	ROYALTON SUBD	82	1.2232	5,199.00	$6,359.42	SQUARE FOOTAGE LOT/PARCEL
L0764	MILLER COVE 1ST ADD	60	1.0302	3,797.00	$3,911.67	SQUARE FOOTAGE LOT/PARCEL
L0765	MARBELLA ESTATES	15	1.5226	1,057.00	$1,609.39	SQUARE FOOTAGE LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0766	SUNSET FARMS	8	1.6911	1,330.00	$2,249.16	SQUARE FOOTAGE LOT/PARCEL
L0767	SILVIA SUB	48	0.0500	528.00	$26.40	SQUARE FOOTAGE LOT/PARCEL
L0770	KENDALL HAMMOCK SHOP CTR	1	0.0500	255.00	$12.75	SQUARE FOOTAGE LOT/PARCEL
L0771	NUNEZ HOMES	10	0.9915	727.00	$720.82	SQUARE FOOTAGE LOT/PARCEL
L0772	RAM COMMERCIAL	2	0.0500	271.00	$13.55	SQUARE FOOTAGE LOT/PARCEL
L0773	LKS BAY SEC 14	222	1.7805	7,535.00	$13,416.07	SQUARE FOOTAGE LOT/PARCEL
L0776	MINDI SUB	17	1.4501	1,229.00	$1,782.17	SQUARE FOOTAGE LOT/PARCEL
L0777	CHIU SUB	4	1.3090	640.00	$837.76	SQUARE FOOTAGE LOT/PARCEL
L0779	SELLA SUB	81	1.3044	5,060.00	$6,600.26	SQUARE FOOTAGE LOT/PARCEL
L0780	NELSAY PLAZA	2	0.0500	565.00	$28.25	SQUARE FOOTAGE LOT/PARCEL
L0783	ESPLANADAS DREAMS	23	2.3674	1,388.00	$3,285.95	SQUARE FOOTAGE LOT/PARCEL
L0785	MILLER COVE	87	1.8111	5,094.00	$9,225.74	SQUARE FOOTAGE LOT/PARCEL
L0786	EFM ESTS SECT 1	469	1.8385	28,650.00	$52,673.03	SQUARE FOOTAGE LOT/PARCEL
L0787	EMERALD LKS ESTS	176	1.4290	3,633.00	$5,191.56	SQUARE FOOTAGE LOT/PARCEL
L0788	KENDALL BREEZE	784	1.6490	3,108.00	$5,125.09	SQUARE FOOTAGE LOT/PARCEL
L0790	TAMIAMI GEFEN IND PK	38	0.0500	3,918.00	$195.90	SQUARE FOOTAGE LOT/PARCEL
L0793	LK/TUSCANY PH 1	2	6.5849	1,572.00	$10,351.46	SQUARE FOOTAGE LOT/PARCEL
L0794	OLD CUTLER APT	1	2.4248	915.00	$2,218.69	SQUARE FOOTAGE LOT/PARCEL
L0797	CHILDRENS PLAZA	2	0.0500	1,074.00	$53.70	SQUARE FOOTAGE LOT/PARCEL
L0800	ADRIAN AT TAMIAMI	39	0.0500	979.00	$48.95	SQUARE FOOTAGE LOT/PARCEL
L0801	MILON VENTURE	518	1.6105	31,328.00	$50,453.74	SQUARE FOOTAGE LOT/PARCEL
L0803	RENAISSANCE EST	74	2.3598	4,800.00	$11,327.04	SQUARE FOOTAGE LOT/PARCEL
L0806	MIRANA IND PK	27	1.4038	1,039.00	$1,458.55	SQUARE FOOTAGE LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0807	ED-MAR EST	32	0.6515	2,185.00	$1,423.53	SQUARE FOOTAGE LOT/PARCEL
L0808	GRAND LAKES	799	1.8446	33,077.00	$61,013.83	SQUARE FOOTAGE LOT/PARCEL
L0809	PLAZA DEL PARAISO	2	1.5023	1,115.00	$1,675.06	SQUARE FOOTAGE LOT/PARCEL
L0811	MELODY HOMES	11	0.0500	470.00	$23.50	SQUARE FOOTAGE LOT/PARCEL
L0815	BMS-KENDALE LAKES	1	0.0500	331.00	$16.55	SQUARE FOOTAGE LOT/PARCEL
L0816	SHOMA/COUNTRY CLUB 1	122	0.0500	484.00	$24.20	SQUARE FOOTAGE LOT/PARCEL
L0817	CEDAR WEST HOMES 3	104	1.9227	6,142.00	$11,809.22	SQUARE FOOTAGE LOT/PARCEL
L0818	HETI SUB	1	3.3567	165.00	$553.86	SQUARE FOOTAGE LOT/PARCEL
L0819	VEGA CORAL WAY SUB	16	0.0500	722.00	$36.10	SQUARE FOOTAGE LOT/PARCEL
L0820	EGRET LKS HMS	598	0.0500	7,501.00	$375.05	SQUARE FOOTAGE LOT/PARCEL
L0821	ALTURAS BUENA VISTA	6	0.0500	312.00	$15.60	SQUARE FOOTAGE LOT/PARCEL
L0822	CVS/CORAL WAY	2	0.0500	752.00	$37.60	SQUARE FOOTAGE LOT/PARCEL
L0823	NILO SUB	24	0.0500	1,831.00	$91.55	SQUARE FOOTAGE LOT/PARCEL
L0824	HAINLIN MILL 4	8	0.0500	723.00	$36.15	SQUARE FOOTAGE LOT/PARCEL
L0825	ALEXA SUB	11	0.0500	559.00	$27.95	SQUARE FOOTAGE LOT/PARCEL
L0826	NO LAKE PARK	36	2.8942	652.00	$1,887.02	SQUARE FOOTAGE LOT/PARCEL
L0827	PRECIOUS EXECUTIVE	22	2.9600	2,719.00	$8,048.24	SQUARE FOOTAGE LOT/PARCEL
L0829	MIRACLE W 1 ADD	7	0.0500	600.00	$30.00	SQUARE FOOTAGE LOT/PARCEL
L0830	CAMINO REAL ESTS	61	1.2191	4,602.00	$5,610.30	SQUARE FOOTAGE LOT/PARCEL
L0831	EVE ESTATES	49	0.9894	6,142.00	$6,076.89	SQUARE FOOTAGE LOT/PARCEL
L0832	WOODLANDS	141	0.8961	5,090.00	$4,561.15	SQUARE FOOTAGE LOT/PARCEL
L0833	DORAL POINTE	4	1.3699	361.00	$494.53	SQUARE FOOTAGE LOT/PARCEL
L0835	PARK CTR BUSINESS PARK	18	0.0500	444.00	$22.20	SQUARE FOOTAGE LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0836	CAULEY PALASAIDES	19	0.0500	1,346.00	$67.30	SQUARE FOOTAGE LOT/PARCEL
L0837	MARDEL ESTATES	10	2.5451	1,458.00	$3,710.76	SQUARE FOOTAGE LOT/PARCEL
L0839	NICOLLE SUB	25	1.7364	1,754.00	$3,045.65	SQUARE FOOTAGE LOT/PARCEL
L0840	HELENA HOMES	73	1.9123	4,383.00	$8,381.61	SQUARE FOOTAGE LOT/PARCEL
L0841	DVH ESTATES	100	0.9629	13,782.00	$13,270.69	SQUARE FOOTAGE LOT/PARCEL
L0842	CORAL WEST HMS	6	2.5509	482.00	$1,229.53	SQUARE FOOTAGE LOT/PARCEL
L0844	OAK SOUTH ESTATE	89	0.9950	12,091.00	$12,030.55	SQUARE FOOTAGE LOT/PARCEL
L0846	MOTHER OF CHRIST	1	1.7440	1,173.00	$2,045.71	SQUARE FOOTAGE LOT/PARCEL
L0847	ALINA ESTS	19	1.2970	1,775.00	$2,302.18	SQUARE FOOTAGE LOT/PARCEL
L0848	EMERALD ISLES	122	0.0500	2,640.00	$132.00	SQUARE FOOTAGE LOT/PARCEL
L0849	LKS/BAY SOUTH COMMONS	2338	0.0500	35,176.00	$1,758.80	SQUARE FOOTAGE LOT/PARCEL
L0852	KENDALL TOWN CENTER	15	5.2205	8,678.00	$45,303.50	SQUARE FOOTAGE LOT/PARCEL
L0855	SPANISH GDNS VILLAS	4	0.8832	2,211.00	$1,952.76	SQUARE FOOTAGE LOT/PARCEL
L0856	JESSLYN SUB	121	1.7447	7,847.00	$13,690.66	SQUARE FOOTAGE LOT/PARCEL
L0858	HAINLIN REEF NORTH	10	1.3386	1,282.00	$1,716.09	SQUARE FOOTAGE LOT/PARCEL
L0860	SABINA SHOPPING CENTER	4	0.0500	813.00	$40.65	SQUARE FOOTAGE LOT/PARCEL
L0862	GRANADA HOME ESTATES	6	1.9070	717.00	$1,367.32	SQUARE FOOTAGE LOT/PARCEL
L0863	CASA LAGO 1 ADD	29	0.9383	2,436.00	$2,285.70	SQUARE FOOTAGE LOT/PARCEL
L0864	TUSCANY PLACE	5	1.2560	3,791.00	$4,761.50	SQUARE FOOTAGE LOT/PARCEL
L0865	WALMART/HIALEAH	5	7.3277	1,685.00	$12,347.17	SQUARE FOOTAGE LOT/PARCEL
L0866	SALCINES SUB	3	0.0500	282.00	$14.10	SQUARE FOOTAGE LOT/PARCEL
L0869	ESTATE HOME 3 ADD	8	0.0500	454.00	$22.70	SQUARE FOOTAGE LOT/PARCEL
L0870	CUDIMAR/BLACK PT MARINA	504	1.6100	15,971.00	$25,713.31	SQUARE FOOTAGE LOT/PARCEL

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L0871	SAN VALENTIN	19	0.0500	1,058.00	$52.90	SQUARE FOOTAGE LOT/PARCEL
L0873	V @ Q HOLDINGS SUB	1	1.2899	543.00	$700.42	SQUARE FOOTAGE LOT/PARCEL
L0874	SHOMA HMS/OLD CUTLER PT	1028	0.0500	7,125.00	$356.25	SQUARE FOOTAGE LOT/PARCEL
L0875	FLORENCIA ESTS	34	2.6444	2,475.00	$6,544.89	SQUARE FOOTAGE LOT/PARCEL
L0879	TAMIAMI IND PK	40	0.0500	331.00	$16.55	SQUARE FOOTAGE LOT/PARCEL
L0880	BISCAYNE DR ESTS	113	1.1243	9,993.00	$11,235.13	SQUARE FOOTAGE LOT/PARCEL
L0882	FLIGHTWAYS SUB	23	0.0500	1,330.00	$66.50	SQUARE FOOTAGE LOT/PARCEL
L0883	DEER CREEK ESTS 1ST ADD	25	1.7553	1,714.00	$3,008.58	SQUARE FOOTAGE LOT/PARCEL
L0885	SUSSYAN SUB	4	0.0500	352.00	$17.60	SQUARE FOOTAGE LOT/PARCEL
L0886	EDEN LAKES	49	1.0281	3,999.00	$4,111.37	SQUARE FOOTAGE LOT/PARCEL
L0887	DANIELLE PATRICK	34	1.4547	2,833.00	$4,121.17	SQUARE FOOTAGE LOT/PARCEL
L0888	MARTEX BUSINESS/1 ADD	41	0.0500	2,127.00	$106.35	SQUARE FOOTAGE LOT/PARCEL
L0893	KINGDOM DREAMS	245	0.0500	6,154.00	$307.70	SQUARE FOOTAGE LOT/PARCEL
L0894	VILLAS/CAMPO SUB	333	1.8807	13,864.00	$26,074.02	SQUARE FOOTAGE LOT/PARCEL
L0895	CENTURY EST /FIRST ADD	199	1.8899	11,596.00	$21,915.28	SQUARE FOOTAGE LOT/PARCEL
L0897	SOUTH GATE	34	1.6117	2,350.00	$3,787.50	SQUARE FOOTAGE LOT/PARCEL
L0902	FAVA ESTS	10	2.2435	1,023.00	$2,295.10	SQUARE FOOTAGE LOT/PARCEL
L0904	LA COSTA/OLD CUTLER SEC 1	25	1.6136	2,747.00	$4,432.56	SQUARE FOOTAGE LOT/PARCEL
L0906	MICA SUB 2 ADD	6	0.0500	311.00	$15.55	SQUARE FOOTAGE LOT/PARCEL
L0907	MIAMI FREE ZONE 2	2	0.6950	578.00	$401.71	SQUARE FOOTAGE LOT/PARCEL
L0908	MICA SUB @ 1 ADD	30	0.0500	1,680.00	$84.00	SQUARE FOOTAGE LOT/PARCEL
L0909	PRECIOUS FOREST HOMES	49	1.3227	4,086.00	$5,404.55	SQUARE FOOTAGE LOT/PARCEL
L0910	TAMIAMI MARKET	5	0.0500	1,134.00	$56.70	SQUARE FOOTAGE LOT/PARCEL

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L0915	ESTATE HOMES 2ND ADDITION	12	1.0680	1,433.00	$1,530.44	SQUARE FOOTAGE LOT/PARCEL
L0916	DORAL ISLES N SEC 1&2	669	2.0032	10,430.00	$20,893.38	SQUARE FOOTAGE LOT/PARCEL
L0918	MILLER LAKE	45	1.4553	2,498.00	$3,635.34	SQUARE FOOTAGE LOT/PARCEL
L0921	STEPHANIE SUBD. 1ST ADD.T	22	0.7919	1,604.00	$1,270.21	SQUARE FOOTAGE LOT/PARCEL
L0923	CHATEAUBLEAU MANSIONS	12	1.7702	1,842.00	$3,260.71	SQUARE FOOTAGE LOT/PARCEL
L0925	KEYSTONE	116	0.0500	6,504.00	$325.20	SQUARE FOOTAGE LOT/PARCEL
L0926	DIVINE SAVIOUR	5	0.0500	750.00	$37.50	SQUARE FOOTAGE LOT/PARCEL
L0927	AILEEN SUB	7	0.0500	524.00	$26.20	SQUARE FOOTAGE LOT/PARCEL
L0929	CEDAR WEST HMS 2	34	2.2167	1,878.00	$4,162.96	SQUARE FOOTAGE LOT/PARCEL
L0932	BENT TREE BRIARCLIFF	2	0.0500	132.00	$6.60	SQUARE FOOTAGE LOT/PARCEL
L0934	FLAMINGO HOMES	25	1.5649	4,066.00	$6,362.88	SQUARE FOOTAGE LOT/PARCEL
L0937	RIVERSIDE	236	0.0500	468.00	$23.40	SQUARE FOOTAGE LOT/PARCEL
L0939	BLUEWATERS	482	1.8824	18,847.00	$35,477.59	SQUARE FOOTAGE LOT/PARCEL
L0940	PETES PLACE	185	1.6430	2,685.00	$4,411.46	SQUARE FOOTAGE LOT/PARCEL
L0943	ANACO EST 1 ADD	6	0.0500	705.00	$35.25	SQUARE FOOTAGE LOT/PARCEL
L0944	SANTA BARBARA	395	0.0500	970.00	$48.50	SQUARE FOOTAGE LOT/PARCEL
L0947	SOUTH POINTE COVE	68	0.0500	537.00	$26.85	SQUARE FOOTAGE LOT/PARCEL
L0951	PARK VIEW ESTATES	7	0.0500	589.00	$29.45	SQUARE FOOTAGE LOT/PARCEL
L0954	KINGS ESTATES	15	1.8493	1,075.00	$1,988.00	SQUARE FOOTAGE LOT/PARCEL
L0956	ETHEREAL SUB	17	2.0613	1,452.00	$2,993.01	SQUARE FOOTAGE LOT/PARCEL
L0957	KENDALLWOOD IND REPLAT	127	0.0500	3,099.00	$154.95	SQUARE FOOTAGE LOT/PARCEL
L0959	PINE MANOR	47	2.3408	1,722.00	$4,030.86	SQUARE FOOTAGE LOT/PARCEL
L0965	KEYSTONE WEST	156	0.0500	1,848.00	$92.40	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L0966	LETI SUB	17	1.9849	1,168.00	$2,318.36	SQUARE FOOTAGE LOT/PARCEL
L0967	CMGD SUB	6	2.7800	414.00	$1,150.92	SQUARE FOOTAGE LOT/PARCEL
L0968	BELEN ESTS	14	2.2519	999.00	$2,249.65	SQUARE FOOTAGE LOT/PARCEL
L0970	SILVER PALM LAKE	204	1.0547	12,073.00	$12,733.39	SQUARE FOOTAGE LOT/PARCEL
L0971	CENTURY GARDENS	345	1.2090	21,533.00	$26,033.40	SQUARE FOOTAGE LOT/PARCEL
L0972	ISLANDS @ DORAL	551	1.7505	9,733.00	$17,037.62	SQUARE FOOTAGE LOT/PARCEL
L0974	COSTA AZUL HOMES	12	0.6981	935.00	$652.72	SQUARE FOOTAGE LOT/PARCEL
L0978	LORANT ENTPR/TAMIAMI	1	0.0500	602.00	$30.10	SQUARE FOOTAGE LOT/PARCEL
L0979	LA COSTA/OLD CUTLER SEC 2	20	1.4440	1,501.00	$2,167.44	SQUARE FOOTAGE LOT/PARCEL
L0980	SILVER PALM PLANTATION	22	1.9648	785.00	$1,542.37	SQUARE FOOTAGE LOT/PARCEL
L0981	HAILIN MILL PARK VIEW	8	1.5230	687.00	$1,046.30	SQUARE FOOTAGE LOT/PARCEL
L0982	COLONNADE	303	2.5240	3,349.00	$8,452.88	SQUARE FOOTAGE LOT/PARCEL
L0983	JC KERN ESTATES	60	1.9008	4,328.00	$8,226.66	SQUARE FOOTAGE LOT/PARCEL
L0987	ELISE ESTATES	64	1.6235	4,532.00	$7,357.70	SQUARE FOOTAGE LOT/PARCEL
L0988	SANTA MONICA EST	19	0.0500	1,058.00	$52.90	SQUARE FOOTAGE LOT/PARCEL
L0992	SUNSET COVE	23	1.2770	1,356.00	$1,731.61	SQUARE FOOTAGE LOT/PARCEL
L0995	HELENA HOMES 1	12	0.0500	672.00	$33.60	SQUARE FOOTAGE LOT/PARCEL
L0997	SUPERIOR SUBDISION	5	0.0500	290.00	$14.50	SQUARE FOOTAGE LOT/PARCEL
L0998	SOTO MANSIONS	40	1.6797	3,395.00	$5,702.58	SQUARE FOOTAGE LOT/PARCEL
L1002	149 BIRD	77	0.0500	979.00	$48.95	SQUARE FOOTAGE LOT/PARCEL
L1003	CHRISTOPHER GDNS	135	1.0500	7,703.00	$8,088.15	SQUARE FOOTAGE LOT/PARCEL
L1006	MOODY DR EST 1	64	0.9225	4,195.00	$3,869.89	SQUARE FOOTAGE LOT/PARCEL
L1015	HILDAS ESTATES SUB	40	1.2896	2,747.00	$3,542.53	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L1018	SILVER PALM HOMES	302	1.9130	11,548.00	$22,091.32	SQUARE FOOTAGE LOT/PARCEL
L1021	BEACON LKS PHASE 1	72	0.0500	15,508.00	$775.40	SQUARE FOOTAGE LOT/PARCEL
L1024	OLD COUNTRY RD ESTS	14	0.0500	1,418.00	$70.90	SQUARE FOOTAGE LOT/PARCEL
L1025	WEST DORAL LAKES	333	1.5800	4,656.00	$7,356.48	SQUARE FOOTAGE LOT/PARCEL
L1026	ISABELLA HOMES	21	1.0900	1,701.00	$1,854.09	SQUARE FOOTAGE LOT/PARCEL
L1027	CHADUSTRY ESTATES	12	2.5290	1,421.00	$3,593.71	SQUARE FOOTAGE LOT/PARCEL
L1028	VISTA TRACE	225	0.0500	2,797.00	$139.85	SQUARE FOOTAGE LOT/PARCEL
L1030	JARGUTI SUB	19	0.0500	1,022.00	$51.10	SQUARE FOOTAGE LOT/PARCEL
L1033	ISLANDS @ DORAL 1 ADD	707	0.0500	16,077.00	$803.85	SQUARE FOOTAGE LOT/PARCEL
L1035	GOULDS HAMMOCK ESTS	54	0.0500	2,996.00	$149.80	SQUARE FOOTAGE LOT/PARCEL
L1036	CENTURY PRESTIGE	73	1.0510	4,030.00	$4,235.53	SQUARE FOOTAGE LOT/PARCEL
L1038	OLIVIAS SUBDIVISION	17	0.0500	1,301.00	$65.05	SQUARE FOOTAGE LOT/PARCEL
L1039	BREEZE AT GALLOWAY	18	2.3355	2,121.00	$4,953.60	SQUARE FOOTAGE LOT/PARCEL
L1040	INTERLAKEN	184	1.0930	5,688.00	$6,216.98	SQUARE FOOTAGE LOT/PARCEL
L1041	COURTS AT TUSCANY	326	1.6220	3,888.00	$6,306.34	SQUARE FOOTAGE LOT/PARCEL
L1046	CENTURY BREEZE EAST	51	0.0500	3,211.00	$160.55	SQUARE FOOTAGE LOT/PARCEL
L1047	RIVENDELL	81	1.4550	5,403.00	$7,861.37	SQUARE FOOTAGE LOT/PARCEL
L1048	SHRADERS HAVEN	22	0.0500	926.00	$46.30	SQUARE FOOTAGE LOT/PARCEL
L1052	OAK LANE	41	0.0500	1,040.00	$52.00	SQUARE FOOTAGE LOT/PARCEL
L1053	ISLANDS AT DORAL TOWNHOME	148	0.0500	2,465.00	$123.25	SQUARE FOOTAGE LOT/PARCEL
L1054	CUTLER BREEZE	7	5.0942	520.00	$2,648.98	SQUARE FOOTAGE LOT/PARCEL
L1055	CHATEAU ROYAL ESTATES	80	1.1777	4,609.00	$5,428.02	SQUARE FOOTAGE LOT/PARCEL
L1056	CUTLER BAY PALMS	107	2.1018	5,941.00	$12,486.79	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L1059	SUNSET LAKE TOWNHOMES	74	0.0500	1,152.00	$57.60	SQUARE FOOTAGE LOT/PARCEL
L1060	SABLE PALM ESTATES	107	1.0780	5,673.00	$6,115.49	SQUARE FOOTAGE LOT/PARCEL
L1062	NARANJA GARDENS	222	1.6264	8,603.00	$13,991.92	SQUARE FOOTAGE LOT/PARCEL
L1063	VITRAN HMS AT MORNINGSIDE	64	1.2678	4,968.00	$6,298.43	SQUARE FOOTAGE LOT/PARCEL
L1064	NILO ESTATES	20	2.5205	1,184.00	$2,984.27	SQUARE FOOTAGE LOT/PARCEL
L1065	MATAH SUBDIVISION	22	0.0500	880.00	$44.00	SQUARE FOOTAGE LOT/PARCEL
L1067	MELGOR ESTATES	11	2.1234	1,436.00	$3,049.20	SQUARE FOOTAGE LOT/PARCEL
L1069	BONITA GRAND ESTATES	101	1.2450	14,020.00	$17,454.90	SQUARE FOOTAGE LOT/PARCEL
L1074	WHISTLING PINES CREEK	18	0.0500	1,274.00	$63.70	SQUARE FOOTAGE LOT/PARCEL
L1076	ZAMORAS GROVE	20	0.0500	1,594.00	$79.70	SQUARE FOOTAGE LOT/PARCEL
L1077	CALIFORNIA CLUB ESTATES	14	1.3212	1,035.00	$1,367.44	SQUARE FOOTAGE LOT/PARCEL
L1078	HAMMOCK PLAZA	2	0.0500	336.00	$16.80	SQUARE FOOTAGE LOT/PARCEL
L1079	NAVA SUBDIVISION	68	0.0500	335.00	$16.75	SQUARE FOOTAGE LOT/PARCEL
L1080	SOUTH INDIAN SUBDIVISION	16	0.0500	1,322.00	$66.10	SQUARE FOOTAGE LOT/PARCEL
L1082	RIEUMONT ESTATES	52	1.7058	2,790.00	$4,759.18	SQUARE FOOTAGE LOT/PARCEL
L1084	A.B. @ TAMIAMI AIRPORT 1	27	1.3870	513.00	$711.53	SQUARE FOOTAGE LOT/PARCEL
L1086	SILVER PALM EAST AND WEST	1650	1.7443	36,656.00	$63,939.06	SQUARE FOOTAGE LOT/PARCEL
L1090	VITRAN AT NARANJA ESTATES	84	1.2249	3,707.00	$4,540.70	SQUARE FOOTAGE LOT/PARCEL
L1091	BLACK CREEK HOMES	23	0.9854	2,183.00	$2,151.13	SQUARE FOOTAGE LOT/PARCEL
L1093	MANDARIN LAKES & 1ST ADD.	888	0.0500	29,769.00	$1,488.45	SQUARE FOOTAGE LOT/PARCEL
L1094	OZAMBELA SUBDIVISION	7	0.0500	367.00	$18.35	SQUARE FOOTAGE LOT/PARCEL
L1097	REDLAND EAST 1ST ADDITION	12	0.0500	724.00	$36.20	SQUARE FOOTAGE LOT/PARCEL
L1098	ZAMORAS GROVE 1ST ADD	10	0.0500	683.00	$34.15	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L1099	BISMARK ESTATES	27	0.0500	591.00	$29.55	SQUARE FOOTAGE LOT/PARCEL
L1105	BUDDYS PARADISE	21	1.5634	1,466.00	$2,291.94	SQUARE FOOTAGE LOT/PARCEL
L1106	FARMLAND DEVELOPMENT	32	0.0500	421.00	$21.05	SQUARE FOOTAGE LOT/PARCEL
L1107	BMS KENDALL	3	2.3977	823.00	$1,973.31	SQUARE FOOTAGE LOT/PARCEL
L1113	ALEXANDRIA ESTATES	48	1.1616	3,183.00	$3,697.37	SQUARE FOOTAGE LOT/PARCEL
L1117	LAROC SUBDIVISION	20	1.1570	1,423.00	$1,646.41	SQUARE FOOTAGE LOT/PARCEL
L1122	MANSIONS AT SION	42	1.4010	2,687.00	$3,764.49	SQUARE FOOTAGE LOT/PARCEL
L1126	MINGOS GARDEN	1	0.0500	212.00	$10.60	SQUARE FOOTAGE LOT/PARCEL
L1129	TERRY ENTERPRISE	7	0.0500	471.00	$23.55	SQUARE FOOTAGE LOT/PARCEL
L1132	EVERGREEN GARDEN ESTATES	111	1.0900	7,019.00	$7,650.71	SQUARE FOOTAGE LOT/PARCEL
L1133	ZUMMA SUBDIVISION	6	0.0500	297.00	$14.85	SQUARE FOOTAGE LOT/PARCEL
L1134	CHEDIAK SUBDIVISION PH 1	12	1.0410	765.00	$796.37	SQUARE FOOTAGE LOT/PARCEL
L1135	ISLA MARGARITA AT DORAL	39	0.0500	1,140.00	$57.00	SQUARE FOOTAGE LOT/PARCEL
L1136	SOUTH POINT FIRST ADD	8	0.0500	456.00	$22.80	SQUARE FOOTAGE LOT/PARCEL
L1139	RIVENDELL EAST	41	1.6286	2,560.00	$4,169.22	SQUARE FOOTAGE LOT/PARCEL
L1141	PARK VIEW CONDOMINIUM	1	2.1898	1,425.00	$3,120.47	SQUARE FOOTAGE LOT/PARCEL
L1146	ROYAL GATE CENTER	1	1.2501	396.00	$495.04	SQUARE FOOTAGE LOT/PARCEL
L1151	LAKE FRANCES	144	0.0500	8,406.00	$420.30	SQUARE FOOTAGE LOT/PARCEL
L1152	FOREST LAKE PARADISE	55	1.2007	1,219.00	$1,463.65	SQUARE FOOTAGE LOT/PARCEL
L1153	LETI SUB THIRD ADD	7	0.0500	360.00	$18.00	SQUARE FOOTAGE LOT/PARCEL
L1155	A.S.A. SUB TR D	1	0.0500	845.00	$42.25	SQUARE FOOTAGE LOT/PARCEL
L1160	MIRASOL SUBDIVISION	14	0.0500	759.00	$37.95	SQUARE FOOTAGE LOT/PARCEL
L1169	BHM EAST CAMPUS EXPANSION	1	1.3885	584.00	$810.88	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L1173	BAROQUE ESTATES	7	0.0500	433.00	$21.65	SQUARE FOOTAGE LOT/PARCEL
L1177	TRADITION AT KENDALL	3	2.6010	271.00	$704.87	SQUARE FOOTAGE LOT/PARCEL
L1184	SOFIA ESTATES	12	0.9830	641.00	$630.10	SQUARE FOOTAGE LOT/PARCEL
L1197	LONDON SQUARE	5	2.9132	2,444.00	$7,119.86	SQUARE FOOTAGE LOT/PARCEL
L1203	SION ESTATES	24	0.0500	1,398.00	$69.90	SQUARE FOOTAGE LOT/PARCEL
L1205	CORAL TOWN PARK	7	2.2500	1,614.00	$3,631.50	SQUARE FOOTAGE LOT/PARCEL
L1206	BDG KENDALL 162	2	0.0500	660.00	$33.00	SQUARE FOOTAGE LOT/PARCEL
L1207	DENIS SUBDIVISION	8	0.0500	1,270.00	$63.50	SQUARE FOOTAGE LOT/PARCEL
L1208	CENTURY GARDENS @ TAMIAMI	465	0.0500	2,230.00	$111.50	SQUARE FOOTAGE LOT/PARCEL
L1209	SHOPS AT 107	3	0.0500	537.00	$26.85	SQUARE FOOTAGE LOT/PARCEL
L1210	CEDAR WEST ESTATES	12	0.0500	792.00	$39.60	SQUARE FOOTAGE LOT/PARCEL
L1219	DOLPHMAC	5	0.0500	337.00	$16.85	SQUARE FOOTAGE LOT/PARCEL
L1222	RESERVE AT DORAL WEST	125	0.0500	615.00	$30.75	SQUARE FOOTAGE LOT/PARCEL
L1232	SUNSET RESIDENTIAL	63	0.0500	696.00	$34.80	SQUARE FOOTAGE LOT/PARCEL
L1233	DORANDA SUBDIVISION	165	2.1690	1,738.00	$3,769.72	SQUARE FOOTAGE LOT/PARCEL
L1257	DORAL BREEZE	620	2.0670	5,034.00	$10,405.28	SQUARE FOOTAGE LOT/PARCEL
L1259	TOWN & COUNTRY PROF CTR	41	0.0500	1,437.00	$71.85	SQUARE FOOTAGE LOT/PARCEL
L1265	MAGNOLIA LANDING	2	2.2220	1,645.00	$3,655.19	SQUARE FOOTAGE LOT/PARCEL
L1267	MIRABELLA	2	0.0500	855.00	$42.75	SQUARE FOOTAGE LOT/PARCEL
L1270	UNITED STORAGE DORAL	2	0.0500	330.00	$16.50	SQUARE FOOTAGE LOT/PARCEL
L1271	VERANDA SUB	6	0.0500	6,789.00	$339.45	SQUARE FOOTAGE LOT/PARCEL
L1272	CASARIEGO BUSINESS PK	2	5.1760	313.00	$1,620.09	SQUARE FOOTAGE LOT/PARCEL
L1282	CASA MATIAS	3	0.0500	718.00	$35.90	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
L1285	RITA GARDEN - THE CENTER	2	0.0500	331.00	$16.55	SQUARE FOOTAGE LOT/PARCEL
L1286	CW 144 SUBDIVISION	27	1.9220	1,446.00	$2,779.21	SQUARE FOOTAGE LOT/PARCEL
L1288	CIRCLE CREEK APARTMENTS	4	3.2730	1,177.00	$3,852.32	SQUARE FOOTAGE LOT/PARCEL
L1290	DORAL PUBLIC WORKS FACILITY	2	0.0500	595.00	$29.75	SQUARE FOOTAGE LOT/PARCEL
L1292	VINTAGE ESTATES	182	1.2680	1,674.00	$2,122.63	SQUARE FOOTAGE LOT/PARCEL
L1293	HAMPTON APARTMENTS	7	4.1460	968.00	$4,013.33	SQUARE FOOTAGE LOT/PARCEL
M0099	KENDALE LAKES	9658	0.0105	43891102.00	$460,856.57	SQUARE FOOTAGE LOT/PARCEL
M0178	AIR PK INDUSTRIAL LMD	98	0.0140	928624.00	$13,000.74	SQUARE FOOTAGE LOT/PARCEL
M0188	ROYAL HARBOR YACHT CLUB	144	0.0320	530270.00	$16,968.64	SQUARE FOOTAGE LOT/PARCEL
M0198	SKY LK GOLF CLUB LSCP/MNT	935	0.0077	2839202.00	$21,861.86	SQUARE FOOTAGE LOT/PARCEL
M0199	DOLPHIN CTR MULTIPURPOSE	35	0.0306	15951255.00	$488,108.40	SQUARE FOOTAGE LOT/PARCEL
M0204	FREE ZN IND LSCP MNT IMP	135	0.0139	952066.00	$13,233.72	SQUARE FOOTAGE LOT/PARCEL
M0205	WESTWIND LKS LSCP MAINT	1397	0.0256	9753083.00	$249,678.92	SQUARE FOOTAGE LOT/PARCEL
M0206	MEDITERRANIA LSCP MAINT.	113	0.0113	901023.00	$10,181.56	SQUARE FOOTAGE LOT/PARCEL
M0208	LIMEWOOD GROVE LSCP MAINT	239	0.0344	2131742.00	$73,331.92	SQUARE FOOTAGE LOT/PARCEL
M0212	EAST OAKMONT DR LSCP MAIN	18	0.0308	236516.00	$7,284.69	SQUARE FOOTAGE LOT/PARCEL
M0215	FOREST VIEW LSCP MAIN IMP	217	0.0086	1179994.00	$10,147.95	SQUARE FOOTAGE LOT/PARCEL
M0217	LEDREW ESTS LSCP MAIN IMP	16	0.0352	186399.00	$6,561.24	SQUARE FOOTAGE LOT/PARCEL
M0218	ALLISON ESTS LSCP MNT IMP	16	0.0219	285213.00	$6,246.16	SQUARE FOOTAGE LOT/PARCEL
M0223	FOREST LKS. MULTIPURP.	1217	0.0195	8119420.00	$158,328.69	SQUARE FOOTAGE LOT/PARCEL
M0229	W KENDAL BEST MULTI	914	0.0128	6527355.00	$83,550.14	SQUARE FOOTAGE LOT/PARCEL
M0232	SHOMA/TAM 2	235	0.0754	1158740.00	$87,369.00	SQUARE FOOTAGE LOT/PARCEL
M0234	ARISTOTLE MULTI	656	0.0033	3164018.00	$10,441.26	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
M0235	OLD CUTLER LNDSPE	25	0.0599	137489.00	$8,235.59	SQUARE FOOTAGE LOT/PARCEL
M0240	CORSICA LNDSPE	119	0.0342	1064988.00	$36,422.59	SQUARE FOOTAGE LOT/PARCEL
M0241	DORAL PARK LNDSPE	4736	0.0121	20225890.00	$244,733.27	SQUARE FOOTAGE LOT/PARCEL
M0243	SINOS ESTATES	6	0.0680	75029.00	$5,101.97	SQUARE FOOTAGE LOT/PARCEL
M0244	GARDEN HILLS MULTI	299	0.0397	2359708.00	$93,680.41	SQUARE FOOTAGE LOT/PARCEL
M0245	DORAL ISLES	5552	0.0126	17512679.00	$220,659.76	SQUARE FOOTAGE LOT/PARCEL
M0246	WONDERLY	217	0.0346	1354371.00	$46,861.24	SQUARE FOOTAGE LOT/PARCEL
M0247	PK LK MULTI	144	0.0279	870224.00	$24,279.25	SQUARE FOOTAGE LOT/PARCEL
M0249	CORSICA PLACE LNSPE	140	0.0497	943487.00	$46,891.30	SQUARE FOOTAGE LOT/PARCEL
M0251	GDN HILL W	384	0.0265	2559726.00	$67,832.74	SQUARE FOOTAGE LOT/PARCEL
M0252	ROYAL LND EST	15	0.0879	117399.00	$10,319.37	SQUARE FOOTAGE LOT/PARCEL
M0253	ROYAL LND MULTI	138	0.0179	1098701.00	$19,666.75	SQUARE FOOTAGE LOT/PARCEL
M0254	SAN DEN SAN PED EST MULTI	91	0.0899	521329.00	$46,867.48	SQUARE FOOTAGE LOT/PARCEL
M0257	PONCE EST. MULTI	119	0.0436	716566.00	$31,242.28	SQUARE FOOTAGE LOT/PARCEL
M0259	VENETIAN LAKE MULTI	63	0.0508	368932.00	$18,741.75	SQUARE FOOTAGE LOT/PARCEL
M0260	MARPI HMS	71	0.0794	421416.00	$33,460.43	SQUARE FOOTAGE LOT/PARCEL
M0263	PK LK MEADOW 3	43	0.0125	333055.00	$4,163.19	SQUARE FOOTAGE LOT/PARCEL
M0266	CASA LAGO	61	0.0348	512497.00	$17,834.90	SQUARE FOOTAGE LOT/PARCEL
M0273	PONCE EST SEC 2	123	0.0364	715537.00	$26,045.55	SQUARE FOOTAGE LOT/PARCEL
M0274	ALCO EST @ ADD 1-5	100	0.0235	679640.00	$15,971.54	SQUARE FOOTAGE LOT/PARCEL
M0275	MOODY DR	112	0.0290	577640.00	$16,751.56	SQUARE FOOTAGE LOT/PARCEL
M0276	WATERSEDGE MULTI	38	0.0437	238158.00	$10,407.50	SQUARE FOOTAGE LOT/PARCEL
M0277	PK LK/MEDOW 4	36	0.0661	219118.00	$14,483.70	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
M0279	MANGUS SUB 1/2	236	0.0502	1495996.00	$75,099.00	SQUARE FOOTAGE LOT/PARCEL
M0285	ERICA GARDENS MULTI	87	0.0635	456129.00	$28,964.19	SQUARE FOOTAGE LOT/PARCEL
M0287	PK LKS MEDW PH 6	50	0.0257	364573.00	$9,369.53	SQUARE FOOTAGE LOT/PARCEL
M0292	VALENCIA GROVE EST	50	0.0195	821393.00	$16,017.16	SQUARE FOOTAGE LOT/PARCEL
M0293	CRESTVIEW LKS 1-2 ADD MUL	141	0.0527	840894.00	$44,315.11	SQUARE FOOTAGE LOT/PARCEL
M0295	MILLER COVE MULTIP	60	0.0229	381461.00	$8,735.46	SQUARE FOOTAGE LOT/PARCEL
M0297	KENDALLAND MULTI	436	0.0468	2673588.00	$125,123.92	SQUARE FOOTAGE LOT/PARCEL
M0299	CAPRI HOMES	27	0.0638	127464.00	$8,132.20	SQUARE FOOTAGE LOT/PARCEL
M0300	SELLA SUB	81	0.0375	467270.00	$17,522.63	SQUARE FOOTAGE LOT/PARCEL
M0302	MILLER COVE	87	0.0603	481883.00	$29,057.54	SQUARE FOOTAGE LOT/PARCEL
M0304	EMERALD LKS ESTS	176	0.0457	565447.00	$25,840.93	SQUARE FOOTAGE LOT/PARCEL
M0307	CANDLEWOOD LAKE MAINT	70	324.8981	34.00	$11,046.54	SQUARE FOOTAGE LOT/PARCEL
M0309	MILON VENTURE	516	0.0208	3000517.00	$62,410.75	SQUARE FOOTAGE LOT/PARCEL
M0310	RENAISSANCE EST	74	0.0711	442774.00	$31,481.23	SQUARE FOOTAGE LOT/PARCEL
M0311	LAURENS POND	54	0.0600	324736.00	$19,484.16	SQUARE FOOTAGE LOT/PARCEL
M0312	GRAND LAKES	799	0.0533	4593315.00	$244,823.69	SQUARE FOOTAGE LOT/PARCEL
M0313	MELODY HOMES	11	0.0430	60638.00	$2,607.43	SQUARE FOOTAGE LOT/PARCEL
M0314	LAROC EST MULTI	133	0.0186	785350.00	$14,607.51	SQUARE FOOTAGE LOT/PARCEL
M0317	PRECIOUS EXECUTIVE HOMES	22	0.0254	327769.00	$8,325.33	SQUARE FOOTAGE LOT/PARCEL
M0318	WOODLANDS	141	0.0368	688413.00	$25,333.60	SQUARE FOOTAGE LOT/PARCEL
M0321	HELENA HOMES	73	0.0232	414178.00	$9,608.93	SQUARE FOOTAGE LOT/PARCEL
M0322	DVH ESTATES	105	0.0115	1665359.00	$19,151.63	SQUARE FOOTAGE LOT/PARCEL
M0323	OAK SOUTH ESTATES	89	0.0116	1345316.00	$15,605.67	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
M0329	CORAL WEST HOMES	6	0.1712	50516.00	$8,648.34	SQUARE FOOTAGE LOT/PARCEL
M0330	NORTH PALM ESTATES	156	0.0149	828260.00	$12,341.07	SQUARE FOOTAGE LOT/PARCEL
M0331	HAINLIN REEF NORTH	12	0.0227	155849.00	$3,537.77	SQUARE FOOTAGE LOT/PARCEL
M0333	GENSTAR	2	0.0598	217621.00	$13,013.74	SQUARE FOOTAGE LOT/PARCEL
M0334	CASA LAGO 1 ADD	29	0.0355	246807.00	$8,761.65	SQUARE FOOTAGE LOT/PARCEL
M0339	FLORENCIA ESTS	34	0.0344	229881.00	$7,907.91	SQUARE FOOTAGE LOT/PARCEL
M0340	BISCAYNE DR ESTS	113	0.0138	974407.00	$13,446.82	SQUARE FOOTAGE LOT/PARCEL
M0343	EDEN LAKES	49	0.0496	451693.00	$22,403.97	SQUARE FOOTAGE LOT/PARCEL
M0344	DANIELLE PATRICK	34	0.0250	333054.00	$8,326.35	SQUARE FOOTAGE LOT/PARCEL
M0345	COUNTRYSIDE @ 1 ADD	174	0.0635	1407047.00	$89,347.48	SQUARE FOOTAGE LOT/PARCEL
M0346	KINGDOM DREAMS	245	0.0730	1283961.00	$93,729.15	SQUARE FOOTAGE LOT/PARCEL
M0348	CENTURY EST/FIRST ADD	199	0.0878	1127212.00	$98,969.21	SQUARE FOOTAGE LOT/PARCEL
M0350	FAVA ESTS	10	0.0367	119275.00	$4,377.39	SQUARE FOOTAGE LOT/PARCEL
M0353	PRECIOUS FOREST HOMES	49	0.0295	470453.00	$13,878.36	SQUARE FOOTAGE LOT/PARCEL
M0355	BALANI SUB	72	0.0335	444692.00	$14,897.18	SQUARE FOOTAGE LOT/PARCEL
M0358	MILLER LAKES	45	0.0812	236100.00	$19,171.32	SQUARE FOOTAGE LOT/PARCEL
M0359	CVS 167	3	0.0929	160430.00	$14,903.95	SQUARE FOOTAGE LOT/PARCEL
M0361	BONITA GOLF VIEW 2	122	0.0284	513783.00	$14,591.44	SQUARE FOOTAGE LOT/PARCEL
M0362	KEYSTONE	116	0.0178	643152.00	$11,448.11	SQUARE FOOTAGE LOT/PARCEL
M0365	CEDAR WEST HMS 2	34	0.1191	120742.00	$14,380.37	SQUARE FOOTAGE LOT/PARCEL
M0376	JORDANS LANDING	60	0.0380	342724.00	$13,023.51	SQUARE FOOTAGE LOT/PARCEL
M0377	FLAMINGO HOMES	25	0.0263	498590.00	$13,112.92	SQUARE FOOTAGE LOT/PARCEL
M0381	PETES PLACE	182	0.0115	1266758.00	$14,567.72	SQUARE FOOTAGE LOT/PARCEL

FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
M0382	SANTA BARBARA	395	0.0363	1099450.00	$39,910.04	SQUARE FOOTAGE LOT/PARCEL
M0385	HOMESTAR LANDINGS	42	0.0589	224540.00	$13,225.41	SQUARE FOOTAGE LOT/PARCEL
M0386	KINGS ESTS	15	0.0938	104371.00	$9,790.00	SQUARE FOOTAGE LOT/PARCEL
M0387	COSMOPOLITAN ROADWAY	19	0.0051	3201654.00	$16,328.44	SQUARE FOOTAGE LOT/PARCEL
M0399	CEDAR WEST HMS MULTI	75	0.0443	376704.00	$16,687.99	SQUARE FOOTAGE LOT/PARCEL
M0406	OAKLAND ESTATES	148	0.0162	644665.00	$10,443.57	SQUARE FOOTAGE LOT/PARCEL
M0408	S KENDALL EST MULTI	39	0.0059	1488665.00	$8,783.12	SQUARE FOOTAGE LOT/PARCEL
M0409	CAMINO RL EST.& 1ST ADD.M	61	0.0245	382755.00	$9,377.50	SQUARE FOOTAGE LOT/PARCEL
M0412	JC KERN ESTATES	60	0.0766	460985.00	$35,311.45	SQUARE FOOTAGE LOT/PARCEL
M0414	SUNSET COVE	23	0.0577	124616.00	$7,190.34	SQUARE FOOTAGE LOT/PARCEL
M0416	SUPERIOR SUBDIVISION	5	0.0873	44141.00	$3,853.51	SQUARE FOOTAGE LOT/PARCEL
M0418	RENAISSANCE RANCHES	145	0.0076	2218819.00	$16,863.02	SQUARE FOOTAGE LOT/PARCEL
M0419	MOODY DR EST 1	64	0.0361	346058.00	$12,492.69	SQUARE FOOTAGE LOT/PARCEL
M0421	CHRISTOPHER GARDENS MULTI	135	0.0214	855667.00	$18,311.27	SQUARE FOOTAGE LOT/PARCEL
M0435	JARGUTI SUB	19	0.0763	97647.00	$7,450.47	SQUARE FOOTAGE LOT/PARCEL
M0439	OLIVIAS SUBDIVISION	44	0.0212	206381.00	$4,375.28	SQUARE FOOTAGE LOT/PARCEL
M0442	CHADUSTRY ESTS	12	0.0264	157887.00	$4,168.22	SQUARE FOOTAGE LOT/PARCEL
M0452	DEER CREEK ESTS & 1ST ADD	25	0.0308	135400.00	$4,170.32	SQUARE FOOTAGE LOT/PARCEL
M0455	CHATEAU ROYAL ESTATES	80	0.0360	478103.00	$17,211.71	SQUARE FOOTAGE LOT/PARCEL
M0456	CUTLER BAY PALMS	107	0.0321	548248.00	$17,598.76	SQUARE FOOTAGE LOT/PARCEL
M0460	NARANJA GARDENS	222	0.0224	790311.00	$17,702.97	SQUARE FOOTAGE LOT/PARCEL
M0468	GOULD HAMMOCK ESTATES	54	0.0400	270805.00	$10,832.20	SQUARE FOOTAGE LOT/PARCEL
M0476	ZAMORAS GROVE	20	0.0412	159277.00	$6,562.21	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16 SPECIAL TAXING DISTRICTS
FLAT RATES
BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	RATE	NUMBER OF UNITS	VALUE	MULTIPLIER
M0478	RIEUMONT ESTATES	54	0.0209	259042.00	$5,413.98	SQUARE FOOTAGE LOT/PARCEL
M0486	ALEXANDRIA ESTATES	48	0.0303	312935.00	$9,481.93	SQUARE FOOTAGE LOT/PARCEL
M0500	EVERGREEN GARDEN ESTATES	111	0.0269	595363.00	$16,015.26	SQUARE FOOTAGE LOT/PARCEL

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FISCAL YEAR 2015-16
CAPITAL IMPROVEMENT/ROAD MAINTENANCE SPECIAL TAXING DISTRICT
(PURSUANT TO R-647-14)

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	NUMBER OF UNITS	RATE	VALUE	MULTIPLIER
R040S	HIBISCUS ISL SVC RELOC SUPPLEMENTAL	147	37,755	$ 1.0000	$ 37,754.80	PARCEL/LOT EQUALS ONE UNIT
R0040	HIBISCUS ISLAND OVERHEAD SERVICES RELOC. IMP.	89	105,300	$ 1.0000	$ 105,300.12	PARCEL/LOT EQUALS ONE UNIT
	Grand Total	**236**	**143,054.92**		**$143,054.92**	

FISCAL YEAR 2015-16
CAPITAL IMPROVEMENT/ROAD MAINTENANCE SPECIAL TAXING DISTRICT

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DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	NUMBER OF UNITS	RATE	VALUE	MULTIPLIER
W0135	SANS SOUCI NAT GAS PIPELN	9	1,374.02	$ 1.0000	$ 1,374.02	LOT/PARCEL FRONT FOOTAGE
	Grand Total	**9**	**1,374.02**		**$ 1,374.02**	

FISCAL YEAR 2015-16
CAPITAL IMPROVEMENT/ROAD MAINTENANCE SPECIAL TAXING DISTRICT

DISTRICT	DISTRICT DESCRIPTION	NUMBER OF FOLIO (S)	NUMBER OF UNITS	RATE	VALUE	MULTIPLIER
M0467	LES CHALETS II ROAD MAINT	243	243.00	$ 74.1800	$18,025.74	PARCEL/LOT EQUALS ONE UNIT
	Grand Total	**243**	**243**		**$18,025.74**	

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

Supplement to
Agenda Item No. 5H

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Supplemental Information Regarding the Ordinance Approving, Adopting and Ratifying Special Assessment District Rates Remaining Flat for Street Lighting, Multipurpose Maintenance, and Security Guard, and Capital Improvements/Road Maintenance Special Taxing Districts

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This supplemental information is provided to amend the Ordinance Approving, Adopting and Ratifying Special Taxing Districts Rates Remaining Flat for Street Lighting, Multipurpose Maintenance, and Security Guard, and Capital Improvements/Road Maintenance Special Taxing Districts listed in Exhibit A for Fiscal Year (FY) 2015-16. Agenda Item 5H lists a total 1,068 active special taxing districts, a total of which 234 require a rate increase and 834 remain flat. By amending this ordinance, of a total of 1,068 active special taxing districts, a total of 231 require a rate increase and 837 remain flat.

This Ordinance is being amended as follows:

1. Highland Lakes Multipurpose Maintenance Special Taxing District was removed from Multipurpose Maintenance Ordinance and is added to this Flat Rates Ordinance due to a reduction in the amount of the reserves for this district.

2. Doral Terrace Street Lighting Special Taxing District was being removed from the Street Lighting Ordinance and is added to this Flat Rates Ordinance due to a one-time charge that was inadvertently added when creating the budget projection for FY 2015-16.

3. Sarah Nicole Street Lighting Special Taxing District was removed from the Street Lighting Ordinance and is added to this Flat Rates Ordinance due to a delay in the payment of fees from the developer. The district cannot be billed annually until all developer fees are paid to Miami-Dade County.

The table below depicts the amended rates:

Special Taxing District	Proposed New Rate in Notice Mailed on June 8, 2015	Corrected New Rate
Highland Lakes	$190.4306	$189.4600
Doral Terrace	$2.8290	$2.6123
Sarah Nicole	$2.6362	$0.0500

The table below updates the districts remaining at current levels.

	Number of Districts' Assessment Remaining at Fiscal Year 2014-15 Levels	Number of Folios/ Properties
Street Lighting Districts	710	122,468
Multipurpose Maintenance Districts	116	30,856
Security Guard Districts	11	2,364
Capital Improvements/ Road Maintenance Districts	3	488

Please note that the number of folios is being revised to adjust for the active folios versus the folios that are either inactive or cancelled which were incorrectly shown in Agenda Item 5H.

Alina T. Hudak
Deputy Mayor

Belle Meade Homeowners Association, Inc.

781 NE 76th Street • Miami • Florida 33138 • 305-759-3848

June 22, 2015

Commissioner Audrey M. Edmonson
District 3
111 NW 1st Street - Suite 220
Miami, FL 33128

Re: Belle Meade Homeowner Petitions in Opposition to Proposed 2015 Non-ad Valorem Assessment for Security Guard Services

Dear Commissioner Edmonson,

On June 8th homeowners in the community of Belle Meade received notice of a Public Hearing to be held June 30th in connection with a proposed 2015 non-ad valorem assessment by the Special Taxing District for guard gate services. In the case of our community, the Special Taxing District is proposing to increase the cost of such services from the current year assessment of $636.70 to the proposed rate of $1,055.28. This represents a year-over-year increase of 60%.

Per my letter to you of June 14th, Belle Meade had hoped to be granted a postponement of the hearing until being presented with an opportunity to review and discuss in detail how the apparent financial mismanagement of the special taxing district had been allowed to continue unchecked for a period of several years, resulting in deficits for which Belle Meade property owners are now unexpectedly being held wholly responsible. Absent such a postponement, the Belle Meade HOA will be sending as its representative to the hearing Ms. Deborah Stander.

As you can see, community opposition to the assessment is overwhelming. We attach herewith 147 ~~136~~ petitions signed by Belle Meade homeowners. Kindly note that although these petitions reflect one unit of property each, the actual number of voters which they represent is far greater.

Sincerely

Walt "Wastine" Allen
President, Belle Meade Homeowners Association

Cc: Miami-Dade County Mayor Carlos A. Gimenez (w/att.)

June 18, 2015 Miami-Dade County, Public Works and Waste Management, Special Taxing District Division Memorandum; Subject:
To: Board of County Commissioners

CC: Public Works and Waste Management – Special Taxing District Division

Subject: Notice of Proposed or Adopted Non-Ad Valorem Assessment

References:

A. Miami-Dade County, Public Works and Waste Management, Special Taxing District Division Memorandum; Subject: Re: Special Taxing District Program Administration and Notice of Proposed Rate Increase; dated June 6, 2015.

B. Miami-Dade County, Public Works and Waste Management, Special Taxing District Division Memorandum; Subject: Notice of Proposed or Adopted Non-Ad Valorem Assessment; dated June 8, 2015.

Board of County Commissioners,

I join my fellow Belle Meade Homeowners in opposition to the Non Ad Valorem Assessment proposed in the Miami-Dade County Public Works and Water Management notice dated June 8, 2015 (ref B).

Ref A cites as justification for the Non Ad Valorem Assessment increase an audit by the County's Audit and Management Department that revealed "issues with management and accounting practices that are currently being addressed." This vague justification glosses over what appear to be very significant accounting and management issues, while providing no explanation whatsoever of how the issues with management and accounting practices specifically impacted the payment for the Belle Meade Homeowners' Security Guard Services.

Mr. Mike Bauman (Division Director, Special Taxing District Program) was kind enough to attend our monthly Belle Meade Homeowners' Meeting on June 9, 2015, and address questions about the proposed assessment. His responses to homeowner questions, however, did nothing to assuage the concerns about the propriety of the proposed assessment. Mr. Bauman brought no supporting financial statements to outline the current Security Guard Services expenses or the unpaid operating expenses from previous years that presumably formed the basis for the assessment increase.

Mr. Bauman even hedged on whether the proposed assessment would be a one-time increase to cover accrued deficits, or whether it would constitute the new assessment benchmark going forward. His comment to the effect of "if we do this right, it should be a one-time increase" did not instill confidence among the homeowners for either Mr.

Bauman (as the new Division Director) or for the "new processes" being put in place as a result of the audit.

The only example of unbudgeted Security Guard Services expenses that surfaced (by a Homeowners' Association Board Member) during the meeting was a $1,000 fumigation expense incurred in the fumigation of the guard shack at the 76th Street entrance to Belle Meade. The cost is incomprehensible given that the area of the guard shack is no more than 25 square feet. If the cost of the guard shack fumigation is indicative of other unbudgeted expenses incurred by the Belle Meade Homeowners, then it would be easy to understand how the Security Guard Services expenses could balloon to a 65% rate increase. This then goes beyond an issue solely of poor accounting and raises grave questions about the contracting practices employed in connection with the Special Taxing Districts.

Mr. Bauman's reaction to the guard shack fumigation expense was disconcerting. While he seemed to accept that the fumigation cost was high, he nonchalantly explained it away as simply the cost of (county) government business – and he readily acknowledged that the association (homeowners), acting on our own behalf, could secure more favorable contract/service rates. Mr. Bauman's response unfortunately did not reflect the posture of a fiscally-responsible government.

We taxpayers deserve transparency in this matter. We deserve a clear and full accounting of the specific costs entailed in our Security Guard Services before any action is taken to raise our Special Taxing District assessment.

Joachim Anderson

825 NE 73 St
Miami, FL 33138

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

Dear Sirs,

We are writing in response to the notice dated June 6, 2015 of a non-ad valorem assessment to the special taxing district of Belle Meade. While we can appreciate that a mistake was made by the Public Works and Waste Management department in assessing the expenditures required to maintain the Belle Meade guard gate we find it unacceptable that said mistake was made every year for over 6 years, thereby compounding the deficit. We feel very strongly that any rate increase should be for the amount expected to be spent the following year based on historical information and not an attempt to cover the County's own admitted accounting errors. It is the Public Works department's responsibility to recognize when a special taxing district is incurring a deficit and request (within a reasonable time period) a moderate and reasonable increase based on previous years' expenditures. Instead our homeowners are now going to see an increase of 65%.

Additionally, we have many elderly homeowners who have owned their homes for many years and are on fixed budgets and such a large increase would cause them great financial difficulties. We also have many young families who are just starting out and a sudden increase at such a substantial rate is not something many could easily afford.

Therefore we are petitioning for the following:

The proposed rate increase for the special taxing district of Belle Meade will be based solely on the expected cost of maintaining the guard gate and services for the subsequent year. The special taxing district should not be held responsible for previous deficits due to the County's failure to adequately administer past expenses and, going forward, oversight of these expenses should be improved.

Esperanza Segura

Name of homeowner

701 NE 72 Ter Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Diana Svendsen

Name of homeowner

7550 NE 7 AVE.

Address of homeowner

June 10, 2015

Board of County Commissioners

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Carlos E. Salazar

Name of homeowner

765 NE 77 Terr Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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HAKE & SHOSHANA ICHAK, Anat Ichak.

Name of homeowner

668 NE 72ND Terrace, Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Jason Doughty /Anat Ichalc

Name of homeowner

1250 NE 7th AVE, MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Beatriz Peraza

Name of homeowner

7225 Belle Meade Blvd Miami Fl 33138.

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

Dear Sirs,

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Name of homeowner

782 NE 74th St Miami 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Ursa Gil

Name of homeowner

736 NE 77th ST Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Robert & Margverite Gil

Name of homeowner

720 NE 77 ST, Miami 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Thom and Lisa Mozloom

Name of homeowner

725 NE 75th St. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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MARIO MORELLO

Name of homeowner

756 NE 75 ST. MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

Dear Sirs,

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BASIUS ERLINGER

Name of homeowner

733 NE 75th ST MIAMI FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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WASTINE ALW

Name of homeowner

725 NE 76 Street

Address of homeowner

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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Doris L. Combs

Name of homeowner

870 NE 72nd Terrace, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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MARK INGRAHAM

Name of homeowner

7625 NE 7th CT Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Name of homeowner

755 NE 77 st. Miami, Fl. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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PHILIP GROSS

Name of homeowner

730 NE 76 ST MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Elisabeth Mills

Name of homeowner – MILLS

839 NE 73rd STREET

Address of homeowner

June 10, 2015

Board of County Commissioners

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Alexis Reyes

Name of homeowner

755 NE 77 st. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Theresa M. Young

Name of homeowner

811 NE 81st Ave Miami, FL. 33138

Address of homeowner

Theresa M Young

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Name of homeowner

7290 NE 8TH AVENUE

Address of homeowner MIAMI FL 33138

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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NORALBA LUZI

Name of homeowner

830 N.E. 73rd Street. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Name of homeowner Ivar N. Massey

860 NE 72 Terrace Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Alejandro Badilla

Name of homeowner

751 NE 75 St. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Gilbert Doval, 6-15-2015

Name of homeowner

950 NE 73rd ST. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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Name of homeowner

INGE MITTET

776 NE 74 ST, MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Olga Ramos

Name of homeowner

727 NE 76th St Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Heriberto Jimenez

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Name of homeowner

744 NE 75 STREET, MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Tracey & Brett Borrow

Name of homeowner

800 NE 72 Terrace Miami 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Thomas & Wanda O'Connor

Name of homeowner

769 NE 74 St. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Betty Griffin

Name of homeowner

674 NE 72nd Terrace, Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Bryan T. Halda
653 NE 76 Street
Miami, FL 33138

Name of homeowner

653 NE 76 Street - 33138

Address of homeowner

BRYAN HALDA, P.A.
653 NE 76 STREET
MIAMI, FL 33138

June 10, 2015

Board of County Commissioners

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Rusty Nelson

Name of homeowner

919 NE 72nd Terrace, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Suzanne Bean

Name of homeowner

769 NE 76th St.

Address of homeowner

June 10, 2015

Board of County Commissioners

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Ricardo A. Coelho

Name of homeowner

776 NE 76th St. Miami FL 33138

Address of homeowner

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Name of homeowner

744 NE 73 ST

Address of homeowner

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Lisa VanOstrand

Name of homeowner

650 NE 73rd St Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Miguel Ruiz

Name of homeowner

865 NE 74 St. Miami FL 33138

Address of homeowner

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JOSE CARLOS CONDE

Name of homeowner

782 NE 76 ST MIAMI FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Edwin E Babor

Name of homeowner

EDWIN BABOR

674 N.E. 74th ST. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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JEF ERICKSON-Pogorzelski

Name of homeowner

776 NE 75 ST., Miami FL, 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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GUSTAVO ROMER + CRISTINA PALACIOS

Name of homeowner

785 NE 72 TERR. MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Martin Hannon

Name of homeowner

921 NE 73 St., Miami, FL. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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IVAN GALVIS

Name of homeowner

781 NE 73 ST. MIAMI - FLORIDA 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Joel Stegman (JOEL STEGMAN)
Gregory Labbate (GREGORY LABBATE)

Name of homeowner

850 NE 73 St Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

Dear Sirs,

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Name of homeowner

665 NE. 76 ST

Address of homeowner

June 10, 2015

Board of County Commissioners

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BRUCE CLEVENGER

Name of homeowner

726 NE 73RD ST MIAMI FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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NILO S RODRIGUEZ LAZARO MIRANDA

Name of homeowner

829 NE 73ST MIAMI FL 33138

Address of homeowner

June 10, 2015

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GRACE C. LOPEZ

Name of homeowner

931 N.E. 114th Street, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Stephen Schade & Albert Pimienta

Name of homeowner

670 NE 77 St

Address of homeowner

June 10, 2015

Board of County Commissioners

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Aurore HETTEL

Name of homeowner

849 NE 73 street MIAMI, FL 33138

Address of homeowner

June 10, 2015

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CHRIS GEMPTON

Name of homeowner

940 NE 72ND TERRACE, MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Debra Lundy

Name of homeowner

782 NE 77 St Miami Fl

Address of homeowner

June 10, 2015

Board of County Commissioners

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ALINA DIAZ
Name of homeowner

855 NE 76 St Miami, Fl. 33138
Address of homeowner

June 10, 2015

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Name of homeowner

714 NE 74th ST. MIAMI, FL 33138

Address of homeowner

June 10, 2015

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Elba M. Acosta

Name of homeowner

733 ne 72 terrace, Miami, Florida, 33138

Address of homeowner

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Jose Jacome

Name of homeowner

739 NE 72 Terrace, Miami, FL 33138

Address of homeowner

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ROBERT LISICKY

Name of homeowner

176 NE 77TH ST. MIAMI

Address of homeowner

June 10, 2015

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Dominique Rojas

Name of homeowner

666 NE 75th Street, Miami FL 33138

Address of homeowner

16th June 2015

June 10, 2015

Board of County Commissioners

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TAKEO ISHII
RENATA SALDANHA

Name of homeowner

820 NE 72nd TERRACE, MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Margaret Okonkwo

Name of homeowner

818 NE 75th Street, Miami FL 33138

Address of homeowner

June 10, 2015

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Frank Sammut & William Exaros

Name of homeowner

721 NE 73rd St., Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Evelyn Caskin

Name of homeowner

763 NE 76 St. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Richard Wood

Name of homeowner

808 NE 73 St

Address of homeowner

June 10, 2015

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Ellen H Slavin

Name of homeowner Ellen H Slavin

930 NE 74 St Miami 33138

Address of homeowner

June 10, 2015

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Richard Glezer Richard

Name of homeowner

732 NE 72 Terr. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Arturo Paz / Pura C. Luyando

Name of homeowner

680 NE 77 St., Miami, FL. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Noël Ziebarth / Noël Ziebarth

Name of homeowner

890 NE 73rd Street, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Bruce Barham, 305 757-6644 305 934.6644 CEL

Name of homeowner

669 NE 74TH ST.

MIAMI, FL 33138 SIGNED, 6/15/15

Address of homeowner

June 10, 2015

Board of County Commissioners

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Margaret E. Dompkins

Name of homeowner

744 N.E 72 TER. Miami, FL

Address of homeowner

June 10, 2015

Board of County Commissioners

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Mindy McElroy

Name of homeowner

739 NE 74th Street, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Lloyd Jackson, Robert Foody

Name of homeowner

658 NE 15 Street

Address of homeowner

June 10, 2015

Board of County Commissioners

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Name of homeowner

BRANDON BURY

715 NE [redacted] 75 ST.

Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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William Stothoff

Name of homeowner

811 NE 73rd St Miami, FL 33138

Address of homeowner

June 10, 2015

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Julio Diaz

Name of homeowner

696 NE 72 TERR. Miami, FL 33138

Address of homeowner

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Sylvia Velez

Name of homeowner

691 N.E. 72 Terrace Miami Fla 33138

Address of homeowner

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CELIA STOCKTON

Name of homeowner

781 NE 75 STREET MIAMI, FL 33138

Address of homeowner

June 10, 2015

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Name of homeowner Mark McGee

911 NE 74th ST

Address of homeowner

June 10, 2015

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JANET CRUCET

Name of homeowner

860 NE 74 ST MIAMI FL. 33138

Address of homeowner

June 10, 2015

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Ellen Roblots

Name of homeowner

671 NE 77 Street

Address of homeowner

June 10, 2015

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VIRGINIE LEPLUS

Name of homeowner

695 NE 77th ST MIAMI, FL 33138

Address of homeowner

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Raymond Knopp

Name of homeowner

941 NE 73 St, Miami, FL 33138

Address of homeowner

June 10, 2015

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Elio Salazar

Name of homeowner

840 NE 74th Street, Miami, Fl 33138

Address of homeowner

June 10, 2015

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Jo Wilder JO WILDER

Name of homeowner

721 NE 72 Ter, Miami 33138

Address of homeowner

June 10, 2015

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Gwendolyn Starke

Name of homeowner

828 N.E. 76th St, Miami, FL 33138

Address of homeowner

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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CRISTINA Calvo

Name of homeowner

7291 N.E 8TH AVE MIAMI, FL. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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MERCEDES Y. GONZALEZ Mercedes Y. Gonzalez

Name of homeowner

769 NE. 75th STREET

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Laurastine M. Pierce

Name of homeowner

684 N.E. 75th St. Miami, Fl. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Name of homeowner

Jaime Ortega Jr. Barbara B Gimenez H & W

7560 NE 72 Terr Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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DANIELLE BION VALERIUS

Name of homeowner

769 NE 73rd Street Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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James Nicholson

Name of homeowner

880 NE. 74 Street, Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Name of homeowner

Stephen CAGHAZZI, 900 NE 74th. Street.

Address of homeowner

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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Alexander Restrepo / Sarita Sharma

Name of homeowner

825 NE 76th ST, Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Raymond Knopp

Name of homeowner

941 NE 78rd St Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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PAUL MORRIS

Name of homeowner

Lillian Lippincott

770 NE 75 St.

28 yr Residents

Address of homeowner

June 10, 2015

Board of County Commissioners

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EYAL KESSOUS

Name of homeowner

776 NE 73rd St Miami, FL 33138

Address of homeowner

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Board of County Commissioners

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Name of homeowner

733 NE 73 St Miami 33138

Address of homeowner

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Board of County Commissioners

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Richard A Lamia & RS Watson

Name of homeowner

986 NE 73 ST MIAMI FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Beau Williamson

Name of homeowner

7300 NE 8 Ave Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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FRANCISCO BOCCIA

Name of homeowner

801 NE 75th St.

Address of homeowner

Belle Meade

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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Roberta Quinn

Name of homeowner

835 NE 74th St., Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Alexander Arrieta

Name of homeowner

940 NE 73 Street, Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Robert D. Sindlinger

Name of homeowner

760 NE 77 St, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Name of homeowner

740 NE 74 St. Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Richard Miltner

Name of homeowner

745 NE 74th St

Address of homeowner

June 10, 2015

Board of County Commissioners

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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Austin Provins June 14 2015

Name of homeowner

Austin Provins

751 NE 73rd St Miami FL. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Helen C Grill, 6/14/15

Name of homeowner

764 NE 73 Street, Miami, Florida 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Deborah Gay Nutchell

Name of homeowner

7530 NE 8th Avenue, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Harold Petit

Name of homeowner

815 N.E. 15 St Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Karen Bruce

Name of homeowner

7630 NE 8th AVE

Address of homeowner

June 10, 2015

Board of County Commissioners

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Martin Staats

Name of homeowner

801 NE 75th St

Address of homeowner

Belle Meade

June 10, 2015

Board of County Commissioners

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Robert & Judi Brenner

Name of homeowner

7280 N.E. 8th AVE - Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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ROBERT + JENNIE STRAUSS Robert Strauss
Jennie Strauss

Name of homeowner

7605 NE 7 Ct. Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Calhoun Gaudet

Name of homeowner

880 NE 73rd Street

Address of homeowner

June 10, 2015

Board of County Commissioners

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MARGOT WINICK Margot Winick

Name of homeowner

7400 NE 8 Ave. MIAMI FL 33138

Address of homeowner

June 10, 2015

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Sahulle Schuck

Name of homeowner

733 NE 74th Street, Miami, FL 33138

Address of homeowner

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Michael Gutierrez

Name of homeowner

940 N.E. 75 Street Miami, Fl. 33138

Address of homeowner

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DEBORAH STANDER Deborah Stander

Name of homeowner

830 NE 74 St., Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Juan C Menendez

Name of homeowner

732 NE 75th St. Miami, FL 33138

Address of homeowner

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EDGAR GARCIA

Name of homeowner

7421 NE 8AVE MIA, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Teresita Burguera

Name of homeowner

664 NE 76 Street Miami FL 33138

Address of homeowner

June 10, 2015

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Pamela Barguera

Name of homeowner

6881 NE 76TH ST Miami, FL. 33138

Address of homeowner

June 10, 2015

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SEAN C. KHOURI

Name of homeowner

870 NE 74 STREET MIAMI 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Nameche Dominique

Name of homeowner

960 NE 74th St Miami, FL 33138

Address of homeowner

June 10, 2015

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Berta G. Fandino

Name of homeowner

7500 NE 8th AVE Miami, Fl. 33138

Address of homeowner

June 10, 2015

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Re: Special Taxing District Program Administration and Proposed Rate Increase

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MARA FISHER

Name of homeowner

679 N.E. 76th ST

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

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Belle Meade 875, LLC
Joseph Elbaz

Name of homeowner

875 NE 76th Street, Miami, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Jonathan Valerius

Name of homeowner

840 N.E. 72nd Terrace Miami, FL. 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

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Daniel & Adriana Gomes

Name of homeowner

750 NE 74 ST Mia FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Juan P. Lopez

Name of homeowner

981 NE 73RD ST., MIAMI, FL

Address of homeowner

June 10, 2015

Board of County Commissioners

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Joseph Elbaz

Name of homeowner

840 NE 76th Street, Miami, FL 33138

Address of homeowner

June 10, 2015

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Liliana and Gennaro Carnevale

Name of homeowner

761 NE 73 Street Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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George Bollette Ballett

Name of homeowner

870 NE 75th St

Address of homeowner

June 10, 2015

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Name of homeowner

JOHN P. MEYER 805 NE 72ND TERR MIAMI, FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Name of homeowner

751 NE 72nd terrace, Miami, Florida 33138

Address of homeowner

June 10, 2015

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Gary Kramer

Name of homeowner

721 NE 74th St

Address of homeowner

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Donna J Anderson ROBERT L. ANDERSON
DONNA J. ANDERSON

Name of homeowner

756 NE 73RD St. Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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CONSTANTINO CICHELLI

Name of homeowner

877 NE 73 ST, MIAMI FL 33138

Address of homeowner

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Susan Ferguson

Name of homeowner

995 N.E. 72nd Terr.

Address of homeowner

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Margaret R Tran

Name of homeowner

781 NE 76 St Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Albert F Kunze III (ALBERT F. KUNZE III)

Name of homeowner

769 NE 72 TERR

Address of homeowner

June 10, 2015

Board of County Commissioners

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MR SELLAM

Name of homeowner

7250 Belle Meade Blvd Miami FL 33138

Address of homeowner

June 10, 2015

Board of County Commissioners

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Aida Castresana

Name of homeowner
AIDA CASTRESANA

659 NE 74 ST MIA. FLA. 33138.

Address of homeowner

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Mauricio Zapata

Name of homeowner

764 NE 76th Street Miami, FL 33138

Address of homeowner

June 10, 2015

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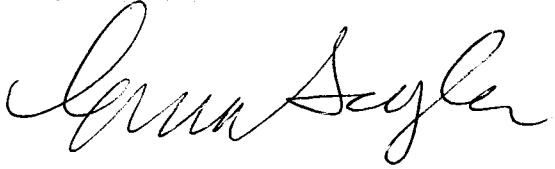
The proposed rate increase for the special taxing district of Belle Meade will be based solely on the expected cost of maintaining the guard gate and services for the subsequent year. The special taxing district should not be held responsible for previous deficits due to the County's failure to adequately administer past expenses and, going forward, oversight of these expenses should be improved.

Erica Saylor

Name of homeowner

7420 NE 8Ave Miami, FL 33138

Address of homeowner



June 10, 2015

Board of County Commissioners

CC: Public Works and Waste Management -Special Taxing District Division

Re: Special Taxing District Program Administration and Proposed Rate Increase

Dear Sirs,

We are writing in response to the notice dated June 6, 2015 of a non-ad valorem assessment to the special taxing district of Belle Meade. While we can appreciate that a mistake was made by the Public Works and Waste Management department in assessing the expenditures required to maintain the Belle Meade guard gate we find it unacceptable that said mistake was made every year for over 6 years, thereby compounding the deficit. We feel very strongly that any rate increase should be for the amount expected to be spent the following year based on historical information and not an attempt to cover the County's own admitted accounting errors. It is the Public Works department's responsibility to recognize when a special taxing district is incurring a deficit and request (within a reasonable time period) a moderate and reasonable increase based on previous years' expenditures. Instead our homeowners are now going to see an increase of 65%.

Additionally, we have many elderly homeowners who have owned their homes for many years and are on fixed budgets and such a large increase would cause them great financial difficulties. We also have many young families who are just starting out and a sudden increase at such a substantial rate is not something many could easily afford.

Therefore we are petitioning for the following:

The proposed rate increase for the special taxing district of Belle Meade will be based solely on the expected cost of maintaining the guard gate and services for the subsequent year. The special taxing district should not be held responsible for previous deficits due to the County's failure to adequately administer past expenses and, going forward, oversight of these expenses should be improved.

Wilma Prado & John Alzate

Name of homeowner

824 NE 75 St Miami, FL 33138

Address of homeowner

Memorandum

(Public Hearing 6-30-15)

Date: June 2, 2015

Agenda Item No. 5(I)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Security Guard Special Taxing Districts

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached Ordinance pertaining to the proposed fees for the Special Taxing Districts' non-ad valorem assessment rolls, rates and assessments for Security Guard Special Taxing Districts for Fiscal Year (FY) 2015-16. All lots and parcels within the Security Guard Special Taxing Districts are unique due to their geographical boundaries, affected property owners and level of services provided. Therefore, approval of this ordinance is required to continue providing service for all lots and parcels within the Security Guard Special Taxing Districts. The Public Works and Waste Management Department (PWWM) has determined, and I concur, that the services provided by these special taxing districts will provide special benefits to properties within each district exceeding the amount of special assessments to be levied. Therefore, it is hereby recommended that the proposed rates provided in Exhibit A be approved and adopted.

In addition to this ordinance, there are three (3) other proposed ordinances relating to Special Taxing Districts. One ordinance adopts and ratifies non-ad valorem assessment rolls, rates and assessments for Street Lighting Special Taxing Districts that are increasing. A second ordinance adopts and ratifies non-ad valorem assessment rolls, rates and assessments for Multipurpose Maintenance Special Taxing Districts that are increasing. A third ordinance adopts and ratifies special assessment district rates remaining flat for Street Lighting, Multipurpose Maintenance, Security Guard, and Capital Improvements/Road Maintenance Special Taxing Districts that are remaining flat.

Of the total 1,068 active special taxing districts, a total of 234 require a rate increase. Of the 1,068 active special taxing districts, this item addresses 44 security guard districts, of which 33 require a rate increase and 11 remain flat.

SCOPE

The scope of this item extends countywide.

FISCAL IMPACT/FUNDING SOURCE

There will be no financial impact to the General Fund. Any financial impact would be absorbed by the property owners affected by the special assessments.

TRACKING

The implementation and operation of the Special Taxing Districts are monitored by Michael R. Bauman, Chief, Causeways and Special Taxing Districts Division (Division), Public Works and Waste Management Department (PWWM) and the financials are overseen by Aneisha Daniel, Assistant Director, Fiscal and Internal Services, PWWM.

BACKGROUND

The Special Taxing Districts have been created throughout Miami-Dade County (County) to provide public improvements and special services at the request of the residents or developers. Chapter 18 of the County Code (Code) provides for the legal framework of Special Taxing Districts. Improvements and services that are currently provided through Special Taxing Districts include:

- Street Lighting - created in existing communities at their request; mandated by Code in new subdivisions,
- Multipurpose Maintenance - includes, but is not limited to, landscape and lake maintenance, maintenance of swales, walls, and graffiti abatement for walls within or abutting the public right-of-way line,
- Security Guard - provides either stationary and/or roving patrol manned by off-duty police officers or commercial guards,
- Capital Improvements/Road Maintenance - provides for one (1) time upgrades or improvements within public right-of-way; examples include water/sewer, drainage, utilities and other roadway improvements.

The County is currently responsible for the management and operation of 1,068 active Special Taxing Districts. There are currently 904 active Street Light Districts, 44 Security Guard Districts, 117 Multipurpose Maintenance, and three (3) Capital Improvements/Road Maintenance Districts located within Miami-Dade County.

Special taxing districts are petitioned for by the property owners within the district boundaries, approved by the Board and ratified by the qualified electorate within those boundaries. The improvements are paid for by the property owners through special assessments collected through the annual combined real property tax bill pursuant to Florida Statute 197.3632. All improvements or services must be public, usually provided within public right-of-way or public property, and therefore, no person will be prohibited access to a special taxing district.

Pursuant to Florida Statute 197.3632 and Section 18-14(5) of the County Code, the County is required to publicly notice the non-ad valorem assessment rolls in special taxing districts. In the event of a rate increase, the Board is required to adopt non-ad valorem assessment rolls at a public hearing held between January 1 and September 15. Previously, all increases to non-ad valorem assessment rolls were approved as a part of the annual County budget process.

All residents in Special Taxing Districts whose assessments are increasing will receive notification as follows:

- Each resident will receive by first-class mail, publication in a newspaper, and posting of such notice in each district, a notice informing them of:

    a. the purpose of the assessment,

    b. the total amount to be levied against each parcel,

c. the unit of measurement to be applied against each parcel to determine the assessment,

d. the number of such units contained within each parcel,

e. the total revenue the local government will collect by the assessment,

f. a statement that failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in a loss of title,

g. a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice, and

h. the date, time, and place of the hearing.

The County's Audit and Management Department is currently conducting an audit of all special taxing districts managed by the County. The ongoing audit process and subsequent management review has revealed issues with management and accounting practices that are currently being addressed. The Division has been reorganized, the accounting and budget process methodology has been reviewed and enhanced for consistency with acceptable County and accounting standards, and staff is working with the County Attorney's Office to ensure compliance with State laws. **It must be noted that special taxing districts' services have been continually provided without interruption of service during this review process.**

The proposed rate increase recommendations adjust for Consumer Price Index increases in security guard contracts, other miscellaneous costs and in some cases correct prior year deficits. The table below provides a brief summary of the range of the required increases. Exhibit A attached provides the detail of each rate recommendation.

	Number of Districts	Number of Folios/ Properties
Flat Rate	11	2,325
Between $0 and $50	4	4,904
Between $51 and $100	2	1,209
Between $101 and $200	7	3,184
Between $201 and $500	9	1,985
Between $501 and $1,000	5	643
Over $1,000	6	788

Staff is in the process of meeting with either homeowners' associations or other individuals/groups that represent the special taxing districts to brief them on corrective actions that have been taken to ensure that the Special Taxing District Program's operation remains fiscally sound.

All required statutory notification requirements have also been followed.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(I)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
✓	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(I)
6-30-15

ORDINANCE NO. _____

ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE SECURITY GUARD SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, pursuant to petition, notice and public hearing, the Board of County Commissioners ("Board") by various ordinances has established special taxing districts in Miami-Dade County, Florida, for the provision of security guard services, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, enacted under and pursuant to the provisions of Section 1.01(A)(11) of the Home Rule Charter of Miami-Dade County, Florida; and

WHEREAS, the security guard services in these special taxing districts are being maintained and services are being provided; and

WHEREAS, pursuant to these ordinances, the Board of County Commissioners determined that special assessments in the special taxing districts listed in Exhibit A for security guard services should be levied on a unit basis in accordance with such adopted ordinances; and

WHEREAS, pursuant to Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Mayor or County Mayor's designee caused assessment rolls to be prepared and filed with the Clerk of the County Commission and pursuant to notice published, posted, and mailed to all property owners within the special taxing districts, the County Commission held a public hearing on this date upon the assessment rolls submitted by the County Mayor or County

Mayor's designee, and all interested persons were afforded the opportunity to present their objections, if any, with respect to their assessments on such assessment rolls; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the assessment rolls were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said assessment rolls; and

WHEREAS, each property owner was notified that the special assessments, when finally approved and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida, will be placed on the November, 2015, and subsequent real property tax bills and that, if these special assessments are not paid when due, the properties on which the special assessments are levied will be respectively subject to the same collection procedures as for ad valorem taxes, including possible loss of title,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. This ordinance shall be known and may be cited as the "Fiscal Year 2015-16 Miami-Dade County Security Guard Non-Ad Valorem Special Assessment Ordinance."

Section 2. The Board intends to use the uniform method of collection of non-ad valorem assessments as authorized in Section 197.3632, Florida Statutes, as amended, for collecting the non-ad valorem assessments levied within Miami-Dade County for special taxing districts, including, but not limited to, security guard services. Descriptions of such areas to be assessed, units of measurement, and the amount of the assessment are attached hereto as Exhibit A and incorporated herein by reference. Except as herein provided, this Board hereby also

incorporates by reference: (1) all previously adopted ordinances establishing and/or amending the districts and service areas described in Exhibit A; and, (2) any resolution adopting preliminary or amended assessment rolls for the districts and service areas described in Exhibit A.

Section 3. After duly advertised public hearing, this Board has received written objections, if any, and heard testimony from all interested person(s) and, based on the benefit to the properties within the districts described in Exhibit A, hereby determines that the levies of the assessments are needed to fund the cost of providing security guard services within these districts. Said revised assessment rolls (a copy of which are made a part hereof by reference) are approved, adopted, and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida.

Section 4. All assessments made upon said revised assessment rolls shall constitute a special assessment lien upon the real property so assessed from the date of the confirmation of such assessments, in accordance with the provisions of Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 5. All assessments shall be payable in accordance with Section 18-14(7) of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of the various ordinances previously approved by the Board, shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 6. Within thirty (30) days from the effective date of this resolution, the Clerk of the Board of County Commissioners is directed to deliver to the Finance Director a copy of the assessment roll, and to cause a duly certified copy of this resolution, together with the assessment roll, to be filed and recorded in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 7. Unless otherwise prohibited by law, this ordinance shall supersede all enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions in the Code of Miami-Dade County in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Ordinance 07-45, as amended.

Section 8. 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 9. 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 override by this Board.

Section 10. It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

Jorge Martinez-Esteve

FISCAL YEAR 2015-16 SECURITY GUARD SPECIAL TAXING DISTRICTS
RATES ON UNIT BASIS
PARCEL/LOT EQUALS ONE UNIT
Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
G0152	STAR ISLAND	~~1,015.8000~~	**9,221.7100**	35	39	$359,646.69	PARCEL/LOT EQUALS ONE UNIT
G0187	HAMMOCK OAKS HARBOR	~~2,092.0400~~	**2,258.1800**	107	102	$229,205.27	PARCEL/LOT EQUALS ONE UNIT
G0193	KEYSTONE PT SECURITY GRD	~~730.2700~~	**829.9700**	888	882	$732,016.94	PARCEL/LOT EQUALS ONE UNIT
G0194	HIGHLAND GRDNS SECURGRD	~~1,343.9000~~	**1,822.3600**	163	163	$297,044.68	PARCEL/LOT EQUALS ONE UNIT
G0195	BELLE MEADE SECUR GUARD	~~636.7000~~	**1,055.2800**	347	354	$373,569.12	PARCEL/LOT EQUALS ONE UNIT
G0198	ALLISON ISL SECUR GUARD	~~3,610.5500~~	**6,116.4100**	46	46	$281,354.86	PARCEL/LOT EQUALS ONE UNIT
G0199	BISCAYNE BCH SECUR GUARD	~~2,214.7700~~	**3,157.6000**	104	104	$328,390.40	PARCEL/LOT EQUALS ONE UNIT
G0201	BISCAYNE POINT SECURITY G	~~669.2700~~	**762.0000**	327	327	$249,174.00	PARCEL/LOT EQUALS ONE UNIT
G0203	COVENTRY SECURITY GUARD	~~6,372.5300~~	**8,267.5800**	35	34	$281,097.72	PARCEL/LOT EQUALS ONE UNIT
G0204	OLD CUTLER BAY SECURITY	~~3,055.9101~~	**3,750.5200**	136	133	$498,819.16	PARCEL/LOT EQUALS ONE UNIT
G0208	DEVONWOOD SECURITY GUARD	~~1,762.5600~~	**2,383.9700**	84	84	$199,061.50	PARCEL/LOT EQUALS ONE UNIT
G0209	PINE BAY EST SEC.	~~1,745.5100~~	**1,884.8100**	77	77	$145,130.37	PARCEL/LOT EQUALS ONE UNIT
G0210	EASTERN SHORES FIRST ADD.	~~504.4600~~	**716.5400**	132	129	$92,075.39	PARCEL/LOT EQUALS ONE UNIT
G0216	MIAMI LAKES SECTION ONE	~~272.6600~~	**393.2300**	801	772	$303,376.95	PARCEL/LOT EQUALS ONE UNIT
G0217	OAK FOREST STANARY SEC GD	~~2,824.6700~~	**4,082.0500**	150	149	$608,225.45	PARCEL/LOT EQUALS ONE UNIT
G0218	OAK FOREST ROV PAT SEC GD	~~1,027.8500~~	**1,271.7800**	290	288	$366,272.64	PARCEL/LOT EQUALS ONE UNIT
G0220	HIGHLAND LAKES SECRTY GD	~~416.8600~~	**553.7400**	1,006	1,005	$556,231.83	PARCEL/LOT EQUALS ONE UNIT
G0221	ENCHANTED LAKE SEC. GUARD	~~2,162.7000~~	**2,758.4800**	202	202	$555,833.72	PARCEL/LOT EQUALS ONE UNIT
G0222	HAMMOCK LKE BANY SEC GUAR	~~925.3699~~	**1,105.3300**	121	119	$130,981.61	PARCEL/LOT EQUALS ONE UNIT
G0223	GABLES BY SEA SEC. GUARD	~~806.6499~~	**1,018.5700**	540	519	$528,128.55	PARCEL/LOT EQUALS ONE UNIT
G0226	ROYAL OAKS SEC I SECGUARD	~~651.7800~~	**755.9100**	620	585	$441,829.40	PARCEL/LOT EQUALS ONE UNIT
G0227	EASTERN SHORES SECURITY G	~~84.3800~~	**113.9700**	2,106	2,085	$237,570.47	PARCEL/LOT EQUALS ONE UNIT

FISCAL YEAR 2015-16 SECURITY GUARD SPECIAL TAXING DISTRICTS
RATES ON UNIT BASIS
PARCEL/LOT EQUALS ONE UNIT
Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
G0228	SNAPPER CREEK LAKES SEC G	~~1,886.2200~~	**2,388.2900**	124	121	$288,983.09	PARCEL/LOT EQUALS ONE UNIT
G0231	SUNRISE SEC GUARD	~~2,120.7600~~	**2,363.2600**	98	96	$226,872.96	PARCEL/LOT EQUALS ONE UNIT
G0234	BAY HEIGHTS ROV. PTRL.	~~1,421.9500~~	**1,461.4600**	189	189	$275,485.21	PARCEL/LOT EQUALS ONE UNIT
G0235	KINGS BAY SEC. GUARD	~~1,463.0600~~	**1,676.8600**	144	143	$239,790.98	PARCEL/LOT EQUALS ONE UNIT
G0237	MORNINGSIDE SEC. GRD.	~~599.4700~~	**1,642.6700**	454	455	$746,593.52	PARCEL/LOT EQUALS ONE UNIT
G0240	DAVIS-PONCE ROV. PTRL.	~~1,530.0200~~	**1,903.1100**	177	160	$304,497.60	PARCEL/LOT EQUALS ONE UNIT
G0248	NATOMA MANORS ROV PTRL	~~156.9300~~	**485.6500**	143	133	$64,591.45	PARCEL/LOT EQUALS ONE UNIT
G0249	ROYAL OAKS EAST SEC GRD	~~709.4800~~	**830.2700**	534	526	$436,306.89	PARCEL/LOT EQUALS ONE UNIT
G0253	HAMMOCK LAKES SECURITY GD	~~0.0000~~	**3,307.7500**	71	65	$213,349.88	PARCEL/LOT EQUALS ONE UNIT
G0256	LAKES BY THE BAY SO. COMM	~~149.4600~~	**173.7100**	2,335	2,295	$398,664.45	PARCEL/LOT EQUALS ONE UNIT
G0258	SABAL PALM ROVING PATROL	~~446.4500~~	**490.8100**	336	336	$164,666.76	PARCEL/LOT EQUALS ONE UNIT

Memorandum

MIAMI-DADE COUNTY

Date:	June 30, 2015
To:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners
From:	Carlos A. Gimenez Mayor
Subject:	Supplemental Information Regarding Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Security Guard Special Taxing Districts

Supplement to
Agenda Item No. 5(I)

This supplemental information is provided to amend the Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Security Guard Special Taxing Districts Fiscal Year listed in Exhibit A for Fiscal Year (FY) 2015-16. Agenda Item 5I lists 44 security guard districts, of which 33 require a rate increase and 11 remain flat.

Biscayne Beach Security Guard Special Taxing District's proposed rates needs to be amended (lowered) to reflect that the County will no longer be providing landscaping maintenance to the guard booth area as follows:

Special Taxing District	Proposed New Rate in Notice Mailed on June 8, 2015	Corrected New Rate
Biscayne Beach	3,157.6000	3,024.9000

The table below updates the districts remaining at current levels.

	Number of Districts	Number of Folios/ Properties
Flat Rate	11	2,364
Between $0 and $50	4	4,904
Between $51 and $100	3	1,825
Between $101 and $200	6	2,606
Between $201 and $500	9	1,980
Between $501 and $1,000	5	645
Over $1,000	6	744

Please note that the number of folios is being revised to adjust for the active folios versus the folios that are either inactive or cancelled which were incorrectly shown in Agenda Item 5I.

Alina T. Hudak
Deputy Mayor

Memorandum

(Public Hearing 6-30-15)

Date: June 2, 2015

Agenda Item No. 5(J)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Multipurpose Maintenance Special Taxing Districts

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached Ordinance pertaining to the proposed fees for the Special Taxing Districts' non-ad valorem assessment rolls, rates and assessments for Multipurpose Maintenance Special Taxing Districts for Fiscal Year (FY) 2015-16. All lots and parcels within the multipurpose maintenance districts are unique due to their geographical boundaries, affected property owners and level of services provided. Therefore, approval of this ordinance is required to continue providing service for all lots and parcels within the Multipurpose Maintenance Special Taxing Districts. The Public Works and Waste Management Department (PWWM) has determined, and I concur, that the services provided by these Special Taxing Districts will provide special benefits to properties within each district exceeding the amount of special assessments to be levied. Therefore, it is hereby recommended that the proposed rates provided in Exhibit A be approved and adopted.

In addition to this ordinance, there are three (3) other proposed ordinances relating to Special Taxing Districts. One ordinance adopts and ratifies non-ad valorem assessment rolls, rates and assessments for Street Lighting Special Taxing Districts that are increasing. A second ordinance adopts and ratifies non-ad valorem assessment rolls, rates and assessments for Security Guard Special Taxing Districts that are increasing. A third ordinance adopts and ratifies special assessment district rates for Street Lighting, Multipurpose Maintenance, Security Guard, and Capital Improvements/Road Maintenance Special Taxing Districts that are remaining flat.

Of the total 1,068 active special taxing districts, a total of 234 require a rate increase. Currently, there are 117 Multipurpose Maintenance Districts managed by the Parks, Recreation and Open Spaces Department, of which five (5) require a rate increase and 112 remain flat.

SCOPE

The scope of this item extends countywide.

FISCAL IMPACT/FUNDING SOURCE

There will be no financial impact to the General Fund. Any financial impact would be absorbed by the property owners affected by the special assessments.

TRACKING

The implementation and operation of the special taxing districts are monitored by Michael R. Bauman, Chief, Causeways and Special Taxing Districts Division (Division), Public Works and Waste Management Department (PWWM) and the financials are overseen by Aneisha Daniel, Assistant Director, Fiscal and Internal Services, PWWM.

BACKGROUND

The Special Taxing Districts have been created throughout Miami-Dade County (County) to provide public improvements and special services at the request of the residents or developers. Chapter 18 of the County Code (Code) provides for the legal framework of Special Taxing Districts. Improvements and services that are currently provided through Special Taxing Districts include:

- Street Lighting - created in existing communities at their request and mandated by Code in new subdivisions,
- Multipurpose Maintenance - includes, but is not limited to, landscape and lake maintenance; maintenance of swales, walls, and graffiti abatement for walls within or abutting the public right-of-way line,
- Security Guard – provides either stationary and/or roving patrol manned by off-duty police officers or commercial guards, and
- Capital Improvements/Road Maintenance - provides for one (1) time upgrades or improvements within public right-of-way; examples include water/sewer, drainage, utilities and other roadway improvements.

The County is currently responsible for the management and operation of 1,068 active Special Taxing Districts. There are currently 904 active Street Light Districts, 44 Security Guard Districts, 117 Multipurpose Maintenance Districts and three (3) Capital Improvements/Road Maintenance Districts located within Miami-Dade County.

Special taxing districts are petitioned for by the property owners within the district boundaries, approved by the Board and ratified by the qualified electorate within those boundaries. The improvements are paid for by the property owners through special assessments collected through the annual combined real property tax bill pursuant to Florida Statute 197.3632. All improvements or services must be public, usually provided within public right-of-way or public property, and therefore, no person will be prohibited access to a Special Taxing District.

Pursuant to Florida Statute 197.3632 and Section 18-14(5) of the County Code, the County is required to publicly notice the non-ad valorem assessment rolls in Special Taxing Districts. In the event of a rate increase, the Board is required to adopt non-ad valorem assessment rolls at a public hearing held between January 1 and September 15. Previously, all increases to non-ad valorem assessment rolls were approved as a part of the annual County budget process.

All residents in Special Taxing Districts whose assessments are increasing will receive notification as follows:

- Each resident will receive by first class mail, publication in a newspaper, and posting of such notice in each district, a notice informing them of:

    a. the purpose of the assessment,

    b. the total amount to be levied against each parcel,

    c. the unit of measurement to be applied against each parcel to determine the assessment,

    d. the number of such units contained within each parcel,

e. the total revenue the local government will collect by the assessment,

f. a statement that failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in a loss of title,

g. a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice, and

h. the date, time, and place of the hearing.

The County's Audit and Management Department is currently conducting an audit of all special taxing districts managed by the County. The ongoing audit process and subsequent management review has revealed issues with management and accounting practices that are currently being addressed. The Division has been reorganized, the accounting and budget process methodology has been reviewed and enhanced for consistency with acceptable County and accounting standards, and staff is working with the County Attorney's Office to ensure compliance with State laws. **It must be noted that special taxing districts' services have been continually provided without interruption of service during this review process.**

The proposed rate increase recommendations adjust for Consumer Price Index increases in contracts, and in some cases correct prior year deficits. The table below provides a brief summary of the range of the required increases. Exhibit A attached provides the detail of each rate recommendation.

	Number of Districts	Number of Folios/ Properties
Flat Rate	112	30,263
Between $0 and $50	3	793
Between $51 and $100	0	0
Between $101 and $200	1	40
Between $201 and $500	0	0
Between $501 and $1,000	0	0
Over $1,000	1	4

Staff is in the process of meeting with either homeowners' associations or other individuals/groups that represent the Special Taxing Districts to brief them on corrective actions that have been taken to ensure that the Special Taxing District Program's operation remains fiscally sound.

All required statutory notification requirements have also been followed.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(J)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(J)
6-30-15

ORDINANCE NO. _____

ORDINANCE APPROVING, ADOPTING AND RATIFYING NON-AD VALOREM ASSESSMENT ROLLS, RATES AND ASSESSMENTS FOR THE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICTS IN MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, pursuant to petition, notice and public hearing, the Board of County Commissioners ("Board") by various ordinances has established special taxing districts in Miami-Dade County, Florida, for the provision of multipurpose maintenance, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, enacted under and pursuant to the provisions of Section 1.01(A)(11) of the Home Rule Charter of Miami-Dade County, Florida; and

WHEREAS, the multipurpose maintenance services within these special taxing districts have been continuously provided; and

WHEREAS, pursuant to these ordinances, the Board of County Commissioners determined that special assessments in the special taxing districts listed in Exhibit A for multipurpose maintenance services should be levied on a per square-footage basis in accordance with such adopted ordinances; and

WHEREAS, pursuant to Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Mayor or County Mayor's designee caused assessment rolls to be prepared and filed

with the Clerk of the County Commission and pursuant to notice published, posted, and mailed to all property owners within the special taxing districts, the County Commission held a public hearing on this date upon the assessment rolls submitted by the County Mayor or County Mayor's designee, and all interested persons were afforded the opportunity to present their objections, if any, with respect to their assessments on such assessment rolls; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the assessment rolls were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said assessment rolls; and

WHEREAS, each property owner was notified that the special assessments, when finally approved and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida, will be placed on the November, 2015, and subsequent real property tax bills and that, if these special assessments are not paid when due, the properties on which the special assessments are levied will be respectively subject to the same collection procedures as for ad valorem taxes, including possible loss of title,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. This ordinance shall be known and may be cited as the "Fiscal Year 2015-16 Miami-Dade County Multipurpose Maintenance Non-Ad Valorem Special Assessment Ordinance."

Section 2. The Board intends to use the uniform method of collection of non-ad valorem assessments as authorized in Section 197.3632, Florida Statutes, as amended, for

collecting the non-ad valorem assessments levied within Miami-Dade County for special taxing districts, including, but not limited to, multipurpose maintenance services. Descriptions of such areas to be assessed, units of measurement, and the amount of the assessment are attached hereto as Exhibit A and incorporated herein by reference. Except as herein provided, this Board hereby also incorporates by reference: (1) all previously adopted ordinances establishing and/or amending the districts and service areas described in Exhibit A; and, (2) any resolution adopting preliminary or amended assessment rolls for the districts and service areas described in Exhibit A.

Section 3. After duly advertised public hearing, this Board has received written objections, if any, and heard testimony from all interested person(s) and, based on the benefit to the properties within the districts described in Exhibit A, hereby determines that the levies of the assessments are needed to fund the cost of providing multipurpose maintenance services within these districts. Said revised assessment rolls (a copy of which are made a part hereof by reference) are approved, adopted, and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida.

Section 4. All assessments made upon said revised assessment rolls shall constitute a special assessment lien upon the real property so assessed from the date of the confirmation of such assessments, in accordance with the provisions of Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 5. All assessments shall be payable in accordance with Section 18-14(7) of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of the various ordinances previously approved by the Board, shall be collected, subject to the provisions of Chapter 197,

Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 6. Within thirty (30) days from the effective date of this resolution, the Clerk of the Board of County Commissioners is directed to deliver to the Finance Director a copy of the assessment roll, and to cause a duly certified copy of this resolution, together with the assessment roll, to be filed and recorded in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 7. Unless otherwise prohibited by law, this ordinance shall supersede all enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions in the Code of Miami-Dade County in conflict herewith; provided, however, nothing in this ordinance shall amend or supersede the requirements of Ordinance 07-45, as amended.

Section 8. 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 9. 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 override by this Board.

Section 10. It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Jorge Martinez-Esteve

FISCAL YEAR 2015-16 MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICTS RATES BASED ON SQUARE FOOTAGE OF LOT/PARCEL

Exhibit A

DISTRICT	DISTRICT DESCRIPTION	CURRENT RATE	PROPOSED NEW RATE	NUMBER OF FOLIO (S)	NUMBER OF UNITS	VALUE	MULTIPLIER
M0248	INTERIAN	~~0.0538~~	**0.1369**	4	61,971	$8,483.83	SQUARE FOOTAGE LOT/PARCEL
M0258	SHOREWAY LDSCP.	~~0.0148~~	**0.0269**	597	3,529,533	$94,944.44	SQUARE FOOTAGE LOT/PARCEL
M0270	HIGH LKS LAKE MAINT	~~189.4600~~	**190.4306**	106	105	$19,900.00	SQUARE FOOTAGE LOT/PARCEL
M0453	HILDAS ESTATES	~~0.0104~~	**0.0349**	40	249,623	$8,711.84	SQUARE FOOTAGE LOT/PARCEL
M0459	SABLE PALM ESTATES	~~0.0510~~	**0.0678**	107	612,460	$41,524.79	SQUARE FOOTAGE LOT/PARCEL

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

Supplement to
Agenda Item No. 5J

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Supplemental Information Regarding Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Multipurpose Maintenance Special Taxing Districts

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This supplemental information is provided to amend the Ordinance Adopting and Ratifying Non-Ad Valorem Assessment Rolls, Rates and Assessments for Multipurpose Maintenance Special Taxing Districts listed in Exhibit A for Fiscal Year (FY) 2015-16. Agenda Item 5J lists 117 multipurpose maintenance districts of which five (5) require a rate increase and 112 remain flat. By amending this Ordinance, of a total of 116 multipurpose maintenance districts, a total of four (4) require a rate increase and 112 remain flat.

The Highland Lakes Multipurpose Special Taxing District is being removed from this Ordinance and is being moved to the Flat Rates Ordinance due to a reduction in the amount of the reserves for this district. Additionally, the Proposed New Rates for the following Multipurpose Maintenance Special Taxing Districts also need to be amended (lowered) due to a reduction in the amount of the reserves for the districts as follows:

Special Taxing District	Proposed New Rate in Notice Mailed on June 8, 2015	Corrected New Rate
Interian	$0.1369	$0.0951
Shoreway LDSCP	$0.0269	$0.0209
Hildas Estates	$0.0349	$0.0226
Sable Palm Estate	$0.0678	$0.0595

The table below updates the districts remaining at current levels.

	Number of Districts	Number of Folios/ Properties
Flat Rate	116	30,856
Between $0 and $50	2	688
Between $51 and $100	1	40
Between $101 and $200	0	0
Between $201 and $500	0	0
Between $501 and $1,000	1	4
Over $1,000	0	0

Please note that the number of folios is being revised to adjust for the active folios versus the folios that are either inactive or cancelled which were incorrectly shown in Agenda Item 5J.

Alina T. Hudak
Deputy Mayor

Memorandum

(Public Hearing 6-30-15)

Date: June 2, 2015

Agenda Item No. 5(P)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Oak Hammock Townhomes Multipurpose Maintenance Special Taxing District

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Recommendation

It is recommended that the Board of County Commissioners (BCC) approve a petition submitted in accordance with Article 1, Chapter 18 of the Code of Miami-Dade County (Code) for the creation of the Oak Hammock Townhomes Multipurpose Maintenance Special Taxing District. The multipurpose maintenance program will remain dormant until any association or community development district (CDD) fails to provide the required maintenance services.

Scope

This proposed special taxing district lies within Commissioner Daniella Levine Cava's District 8 and will provide multipurpose maintenance services, if and when necessary.

Fiscal Impact/Funding Source

Creation of this district will result in no economic impact on the County's budget. Maintenance services which cannot be equitably or conveniently provided by the property owners shall be provided by the district upon acceptance of the plat required improvements by the County and upon the failure of any association or CDD to provide the required maintenance services and such services will be funded by special assessments against the benefited properties.

The economic impact on the private sector will be a perpetual annual special assessment for the cost of maintenance services to all property owners within the district, if and when necessary (See page 3 of this memo).

At this time, there will be no increase or decrease in County staffing due to this district. The private sector may increase its staffing levels to provide the service requirements created by this special taxing district.

Track Record/Monitoring

The Miami-Dade County Public Works and Waste Management Department (PWWM) is the managing entity overseeing this item and the person responsible is Michael R. Bauman, Chief, Causeways and Special Taxing Districts Division.

Background

Contingent upon BCC approval of this district's creating ordinance, and in the event any association or CDD fails to provide maintenance services, the Miami-Dade County Parks, Recreation and Open Spaces Department and PWWM's Special Taxing Districts Division will provide the district's required maintenance services and cause implementation of special assessments for the costs of such services against the benefited properties, as well as contract monitoring, compliance and enforcements, if and when necessary.

Boundaries:	On the North, SW 224 Street; On the East, theo. SW 101 Path; On the South, theo. SW 227 Terrace; On the West, SW 102 Avenue.
Number of Parcels:	1 (Tentative plat proposes 1 tract (Tract A) with 33 townhouse units).
Number of Owners:	1
Number of Owners With Homestead Exemption Signing Petition:	None – The petition was submitted by CH-Oak Hammock, LLC., the sole property owner and developer.
Preliminary Public Meeting:	None necessary.
Required Referendum:	The creation of the district will be subject only to BCC approval; no election will be necessary as 100 percent of the property owners signed the petition.
Preliminary Assessment Roll:	In the event any association or CDD fails to provide the maintenance services shown below, and contingent upon BCC approval of this district's creating ordinance, a hearing to adopt the multipurpose maintenance assessment roll will be conducted. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

Proposed Service and Improvements

Multipurpose Maintenance Services:	The creation of this district is requested to maintain landscaped swales and/or medians including turf, and any trees, shrubs, irrigation including utility payments, common areas, any entrance features, and the exterior of any fencing or walls within the district's boundaries abutting public rights-of-way should any association or CDD fail to provide these services. The district will also maintain the private road area if there is a failure to provide maintenance within the private road area as

defined in a non-exclusive easement granted to the County and recorded in the Public Records.

Estimated Initial Billing: Assessment billed annually as an itemized portion of the Real Property tax bill. Collections to commence in November following adoption of this district's assessment roll.

Initial Start of Service
October 1st following cessation of maintenance services by the developer and failures of any association or CDD to provide services.

Method Of Apportionment:
Maintenance Services: Square Footage

Estimated Annual Total Cost:	**First Year**	**Second Year**
Maintenance Services:	$10,399.91	$5,262.33

Estimated Annual Rates:	**First Year**	**Second Year**
Maintenance Services:	$0.0601	$0.0304

Estimated Annual Assessments:	**First Year**	**Second Year**
For A Typical Townhouse Lot:	$301.94	$152.73

The above annual costs and assessment information for multipurpose maintenance services are for informational purposes only and were calculated based on current costs assuming that maintenance services were to commence this year. Actual costs for multipurpose maintenance services will be determined at the time of the multipurpose maintenance assessment roll hearing.

State or Federal grants are not applicable to this special taxing district.

Each special taxing district is unique due to its geographical boundaries, affected property owners, and level of service to be provided. Creation of a new special taxing district to provide these services is the best and most cost-effective method to achieve this benefit.

In compliance with the provisions of Section 18-3 (c) of the Code, I have reviewed the facts submitted by PWWM and concur with their recommendation that this district be created pursuant to Section 18.22.1 of the Code.

Alina T. Hudak
Deputy Mayor

MULTIPURPOSE MAINTENANCE COST ESTIMATE

			1ST. YEAR	2ND. YEAR
PARKS MAINTENANCE COSTS				
19,271	SQUARE FEET OF LANDSCAPE @	$0.04	$770.83	$770.83
	ACRES OF LAKE @	$1,000.00	$0.00	$0.00
1,154	FEET OF WALL MAINTENANCE @	$0.47	$542.38	$542.38
87,894	SQUARE FEET OF OTHERS @	$0.025	$2,197.35	$2,197.35
		TOTAL PARKS:	$3,861.62	$3,861.62
ENGINEERING & ADMINISTRATIVE COSTS				
FIRST YEAR @:20% OF PARK COST			$772.32	
PLUS PUBLIC WORKS FLAT FEE		$2,600.00	$3,372.32	
SECOND YEAR @ 20% OF PARK COST				$772.32
BILLING/COLLECTING				
FIRST YEAR FOR:	33 PARCELS @ $4.55 A PARCEL ($150 minimum)		$150.15	
PLUS FLAT FEE FOR ATTORNEY				
PLUS FLAT FEE FOR CLERK		$1,200.00	$1,200.00	
FIRST YEAR POSTING/PRINTING @ $2.50 A PARCEL			$82.50	
SECOND YEAR: # OF PARCELS x 69 x $0.05 (Minimum $150)				$150.00
		SUBTOTAL:	$8,666.59	$4,783.94
CONTINGENCIES:				
20%	FOR FIRST YEAR		$1,733.32	
10%	FOR SECOND YEAR			$478.39
		TOTAL:	$10,399.91	$5,262.33
RATES:				
TOTAL ASSESSABLE FOOTAGE:	173,198	(COST/FOOTAGE)	$0.0600	$0.0304
TYPICAL LOT ASSESSMENT:	5,024	COST TYPICAL	$301.44	$152.73
		COST TYPICAL		
	-	COST TYPICAL		

PROJECT NAME:	Oak Hammock Townhomes		M-755
ENGINEER:	Pierre Jean-Baptiste	DATE:	5/5/2015

$0.0601 (PJB)

REPORT AND RECOMMENDATIONS ON THE CREATION OF OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT MIAMI-DADE COUNTY, FLORIDA

Pursuant to Chapter 18 of the Code of Miami-Dade County (Code), and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are submitted by the Miami-Dade County Public Works and Waste Management Department (PWWM) Director concerning the creation of Oak Hammock Townhomes Multipurpose Maintenance Special Taxing District.

1. **BOUNDARIES OF THIS DISTRICT**

The proposed district is located entirely within a portion of unincorporated Miami-Dade County, and the boundaries, as set forth in the petition, are as follows:

> A portion of Section 17, Township 56 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:
>
> Commence at the northwest corner of the NW ¼ of the SE ¼ of said Section 17; thence S 00° 47' 47" E along the west line of the SE ¼ of said Section 17 for 1,146.17 feet; thence N 89° 12' 13" E for 35.00 feet to the Point-of-Beginning; thence N 23° 12' 28" E for 223.59 feet; thence N 36° 23' 16" E for 85.68 feet; thence N 48° 34' 04" E for 118.87 feet; thence S 89° 12' 13" W for 46.94 feet; thence N 00° 47' 47" W for 528.85 feet; thence S 89° 10' 16" W along the southern property line of Sunset Apartments, according to the Plat thereof, as recorded in Plat Book 156, Page 89 of the Public Records of Miami-Dade County, Florida, for 30.00 feet; thence N 00° 49' 44" W along the western property line of said plat of Sunset Apartments for 252.59 feet to a point of curvature of a circular curve to the right, having a radius of 287.37 feet, a central angle of 25° 07' 50", for an arc length of 126.04 feet to a point of curvature of a circular curve to the left, having a radius of 25.00 feet, a central angle of 122° 48' 04", for an arc length of 53.58 feet to a point of tangency; thence S 00° 47' 47" E for 1,153.59 feet to the Point-of-Beginning (a.k.a. Oak Hammock Townhomes, Tentative Plat # T-23366).

The district's boundaries and geographical location are shown on the attached sketch entitled Oak Hammock Townhomes Multipurpose Maintenance Special Taxing District and hereinafter referred to as Exhibit A.

2. **LOCATION AND DESCRIPTION OF DISTRICT**

Maintenance of landscaped swales and/or medians including turf, and any trees, shrubs, and irrigation including utility payments, common areas, any entrance features, and the exterior of any fencing or walls within the district's boundaries abutting public rights-of-way should any association or community development district (CDD) fail to provide these services. The district will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to Miami-Dade County and recorded in the Public Records. Services will commence following failure of any association or CDD to provide these services, and upon adoption of the district's multipurpose maintenance assessment roll. Other maintenance services may be provided in the future as specified in the district's ordinance and amendments thereto.

3. **ESTIMATED COSTS AND ANNUAL EXPENSE FOR MAINTENANCE, REPAIR AND OPERATION OF THIS DISTRICT**

The proposed district is to be created to provide maintenance only in the event that any association or CDD fails to provide the services as described in Item 2 above and will be dormant until such time as stated above.

This initial cost estimate has been developed by PWWM based on estimates previously provided by the Parks, Recreation and Open Spaces Department for similar maintenance taxing districts and will provide multipurpose maintenance services as specified above if services were to commence in 2015. The combined annual costs of the district's multipurpose maintenance services for the initial maintenance program are estimated for report purposes to be $10,399.91 for the first year, and $5,262.33 for the second year. The expense of the multipurpose maintenance program will be continuous and service costs following district implementation are to be apportioned to individual properties within the district on the basis of lot or parcel square footage. The costs of the multipurpose maintenance program and administrative expenses as shown below are to be paid for by special assessments levied against all benefited properties. Actual multipurpose maintenance costs will be determined and presented to the Board of County Commissioners (BCC) at the time of the multipurpose maintenance assessment roll public hearing and will then be adjusted annually each year thereafter based on actual experience.

Estimated Annual Costs	**First Year**	**Second Year**
Initial Annual Maintenance	$3,861.62	$3,861.62
Engineering and Administrative Costs	$3,372.32	$772.32
Billing, Collecting and Processing Costs	$1,432.65	$150.00
Contingencies	$1,733.32	$478.39
Total Annual Maintenance Services Costs	$10,399.91	$5,262.33

Estimated Annual Assessments	**First Year**	**Second Year**
Per Assessable Square Foot:	$0.0601	$0.0304
For A Typical Townhouse Lot:	$301.94	$152.73

4. CONFORMITY TO THE MASTER PLAN OF MIAMI-DADE COUNTY

The proposed district conforms to and in no way conflicts with the master plan of development for Miami-Dade County (see attached memorandum from the Department of Regulatory and Economic Resources, a successor to the Department of Planning and Zoning).

5. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The need for multipurpose maintenance programs is apparent. Residents and property owners of Miami-Dade County continue to demonstrate their desire for the services which will be provided by this district through petitions and personal requests. The ability of the affected properties to pay special assessments is evident since the costs of this district's services, including any bonds then outstanding, do not exceed twenty-five percent (25%) of the assessed valuation of all properties within the district's boundaries (including homesteads) as shown by the last preceding assessment roll of the County. In my opinion, the proposed multipurpose maintenance program will provide special benefits to properties within the district exceeding the amount of special assessments to be levied.

6. PROCEDURE

Following commencement of services by the district, any increase in future maintenance functions may be recommended by a majority of the property owners for consideration by Miami-Dade County as administrator. An annual meeting will be conducted with the owners of real property within the district as an integral part of the annual budget process. This will enable Miami-Dade County, as administrator, to secure input from affected community representatives, association and property owners to improve delivery of services or lower costs of the services provided within the scope of the district's authorized functions as specified above, and to determine the following:

1. Level of service;
2. Areas to be maintained;
3. Approximate effect on cost and rate of the assessment for any changes.

The deletion of services is subject to maintaining a minimum level of service as determined by PWWM (property owners may not delete maintenance services altogether unless this district is abolished).

7. RECOMMENDATION

I recommend that Oak Hammock Townhomes Multipurpose Maintenance Special Taxing District be created pursuant to Section 18-22.1 of the Code. The creation of this district will be subject to BCC approval only; no election will be necessary as 100 percent of the property owners signed the petition. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation of the Oak Hammock Townhomes Multipurpose Maintenance Special Taxing District. Pursuant to Chapter 18 of the Code, the BCC shall receive and hear, at a public hearing, remarks by interested persons on this district, and thereafter may adopt such ordinance. Following failure of any association or CDD to provide these services, the BCC may adopt the district's Preliminary Assessment Roll resolution to fund district services. Adoption of this resolution will enable the Miami-Dade County Tax Collector to collect the funds necessary to administer the district, reimburse affected County Agencies involved in the creation and establishment of this district, as well as operate and maintain the district. The ordinance creating the district shall take effect ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the BCC. My office will also be available to answer any questions from the public or your office in regard to the financial and/or engineering facts of this project. We further recommend that the County Mayor or County Mayor's designee forward the attached report to the BCC after review and concurrence with our findings.

Attachments: (1) Copy of Petition and Attachments
(2) Copy of Memo from Department of Regulatory and Economic Resources
(3) District Boundaries and Geographical Location Sketch (Exhibit A)

Memorandum

MIAMI-DADE COUNTY

Date: June 9, 2014

To: Christopher Agrippa, Division Chief
Office of the Clerk of the Board
Attn: Daysha McBride

From: Donald L. Tock, Jr., Chief
Special Taxing Districts Division
Public Works and Waste Management Department

Subject: Oak Hammock Townhomes
Multipurpose Maintenance Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 18-22.1 of the Miami-Dade County Code, this Department has verified the attached name against the records of the Office of the Property Appraiser, and has concluded that said petition relates to real property in a new subdivision and the signator is owner and/or individual signing in their official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

1.	Total number of parcels of land within district boundaries	1
2.	Total number of owners of property within district boundaries	1
3.	Total number of resident owners within district boundaries (this is a new subdivision area)	0
4.	Total number of signatures on the petition	1
5.	Total number of owners or representatives signing the petition in an official capacity	1
6.	Percentage of owners or representatives signing the petition in their official capacity	100%

Pursuant to Section 18-22.1 of the Code, this is a valid petition.

By copy of this memorandum, I am forwarding this petition for review by the County Attorney for legal sufficiency.

Attachment

c: Jorge Martinez-Esteve

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
M E M O R A N D U M

TO: Don Tock
Chief, Special Taxing Districts

FROM: Jorge Martinez-Esteve
Assistant County Attorney

DATE: June 18, 2014

SUBJECT: Oak Hammock Multipurpose Maintenance
Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient for the purposes stated within the Petition, provided that:

1. the wall and entrance features to be maintained are adjacent to or accessible from the public right of way; and,
2. the land included in Exhibit A of the Petition is accessible to or usable by the public.

JME/lr

MIAMI-DADE COUNTY PUBLIC WORKS
AND WASTE MANAGEMENT DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

Sept. 27, 2013
Document Preparation Date

Departmental Acceptance Date
(Government Use Only)

PETITION FOR MULTIPURPOSE SPECIAL TAXING DISTRICT

To the Board of County Commissioners of Miami-Dade County, Florida:

We, the undersigned property owner(s), do hereby petition Miami-Dade County, Florida, for the creation of the Special Taxing District(s) required by the respective plat(s) pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, for any or all of the following: landscape, lake, entrance features and wall maintenance services (requested landscape, lake, entrance features and wall maintenance services shall be more fully described on the attached Exhibit B). The petitioned for district lies within that portion of the unincorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) T-23366 Oak Hammock Townhomes

It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the improvements to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Public Works and Waste Management Department.

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
CH-OAK HAMMOCK LLC	4661 SW 71 AVENUE Miami, FL 33155		30-6017-000-0055
		MORE FULLY	
		DESCRIBED ON	
KAREN RODRIGUEZ		THE ATTACHED	
MANAGING MEMBER		"EXHIBIT A"	

PLACE NOTARY STATEMENT AND STAMP HERE:

Before me, an offical authorized to take and administer oaths in the Sate of Florida, Personally appeared Karen Rodriguez, who is personally known to me, and executed the above instrument on this January 16, 2014.

MARILYN ROSE
Notary Public - State of Florida
My Comm. Expires Oct 7, 2017
Commission # FF 053912

My Commission Expires:

Notary Public

Exhibit A

EXHIBIT A TO THE PETITION FOR THE PLAT KNOWN AS OAK HAMMOCK TOWNHOMES DATED September 27, 2013 FOR THE CREATION OF SPECIAL TAXING DISTRICT

Legal Description

A portion of Section 17, Township 56 South, Range 40 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Southeast ¼ of said Section 17; thence South 89°10'16" West along the North line of said Southeast ¼ of Section 17 for 1342.51 feet to the Northeast corner of the Northwest ¼ of the Southeast ¼ of said Section 17; thence South 00°34'19" East along the East line of said Northwest ¼ of the Southeast ¼ of said Section 17 for 17.50 feet, thence continue South 00°34'19" East along the East line of said Northwest ¼ of the Southeast ¼ of said Section 17 for 1606.58 feet: thence North 64°37'20" West for 215.48 feet to a point of curvature with a circular curve concave Northeasterly; thence Northwesterly and Northerly along the arc of said curve, to the right, having a radius of 100.00 feet, through a central angle of 64°03'01" for an arc distance of 111.79 feet to a point of tangency; thence North 00°34'19" west for 42.93 feet; thence South 89°25'41" West for 655.71 feet; thence South 25°24'01" West for 122.62 feet to point on the Northeasterly right of way line of the The Black Creek Canal (C-1) being a point on a circular curve concave to the Southwest whose radius point bears South 25°24'01" West from said point; thence Northwesterly along the arc of said curve having a radius of 1170.00 feet, through a central angle 17°37'47" for an arc length of 360.00 feet to a point on the Easterly right of way line of S.W. 102nd Avenue, thence N 00°47'47" W along said Easterly right of way line for 249.37 feet to the POINT OF BEGINNING; thence N 23°12'28" E for 223.59 feet; thence N 36°23'16" E for 85.68 feet; thence N 48°34'04" E for 118.87 feet; thence S 89°12'13" W for 46.94 feet; thence N 00°47'47" W for 528.85 feet; thence S 89°10'16" W along the Southern property line of the platted Sunset Apartments as recorded in Plat Book 156, Page 89, of the Public Records of Miami-Dade County Florida for a distance of 30.00 feet; thence N 00°49'44" W along the Western property line of said Sunset Apartments plat for distance of 252.59 feet to a point of tangency with the Southerly right of way line of Southwest 224 Street; thence Northwesterly along said right of way line along the arc of a curve to the right having a radius of 287.37 feet, through a central angle of 25°07'50" for an arc distance of 126.04 feet to a point intersecting with the Easterly right of way line of Southwest 102 Avenue; thence continuing along said Easterly right of way line Southwest 102 Avenue Northwesterly and Southeasterly along the arc of a curve to the left having a radius of 25.00 feet through a central angle of 122°48'04" for an arc distance of 53.58 feet; thence continuing S 00°47'47" E along said Easterly right of way line a distance of 1,153.59 feet to the POINT OF BEGINNING.

EXHIBIT B

EXHIBIT B TO THE PETITION FOR THE SUBDIVISION KNOWN AS OAK HAMMOCK TOWNHOMES DATED September 27, 2013, FOR THE CREATION OF A SPECIAL TAXING DISTRICT FOR MULTIPURPOSE MAINTENANCE.

AREAS TO BE MAINTAINED:

WALL AND ENTRANCE FEATURES ALONG SW 102 AVENUE
BERMS AND LANDSCAPING ALONG SW 102 AVENUE & SW 224 STREET

MAINTENANCE SCHEDULE:

A.) LAWN / GRASS
   1.) CUT BIMONTHLY AS REQUIRED
   2.) FERTILIZE AND WEED CONTROL AS NEEDED
   3.) TREAT FOR PEST/DISEASE AS NEEDED
   4.) IRRIGATE WITH AUTOMATIC SYSTEM AND ELECTRICAL SERVICE FOR SAME.

B.) TREES / SHRUBS
   1.) TRIM, FERTILIZE AND TREAT FOR PEST AS NEEDED
   2.) REPLACE AS REQUIRED

C.) WALL MAINTENANCE
   1.) MAINTENACE AND REPAIR OF THE EXTERIOR OF A DECORATIVE MANSONRY WALL AND THE REMOVAL OF GRAFFITI AS NEEDED

NOTE: THIS SPECIAL TAXING DISTRICT ENCOMPASES A PRIVATE DRIVE COMMUNITY, AND THE MULTIPURPOSE MAINTENANCE COMPONET OF THE DISTRICT SHALL BE **DORMANT**. SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A "GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT" SUBMITTED AT THE DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THE DISTRICT MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISIONERS AT THE PUBLIC HEARING. OTHER MAINTENACE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT'S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED.

TRACT "A" INGRESS/EGRESS AND COMMON AREAS.

MEMORANDUM

To: Aristides Rivera, P.E., P.L.S., Director
Public Works Department

Date: January 15, 2002

From: Diane O'Quinn Williams, Director
Department of Planning and Zoning

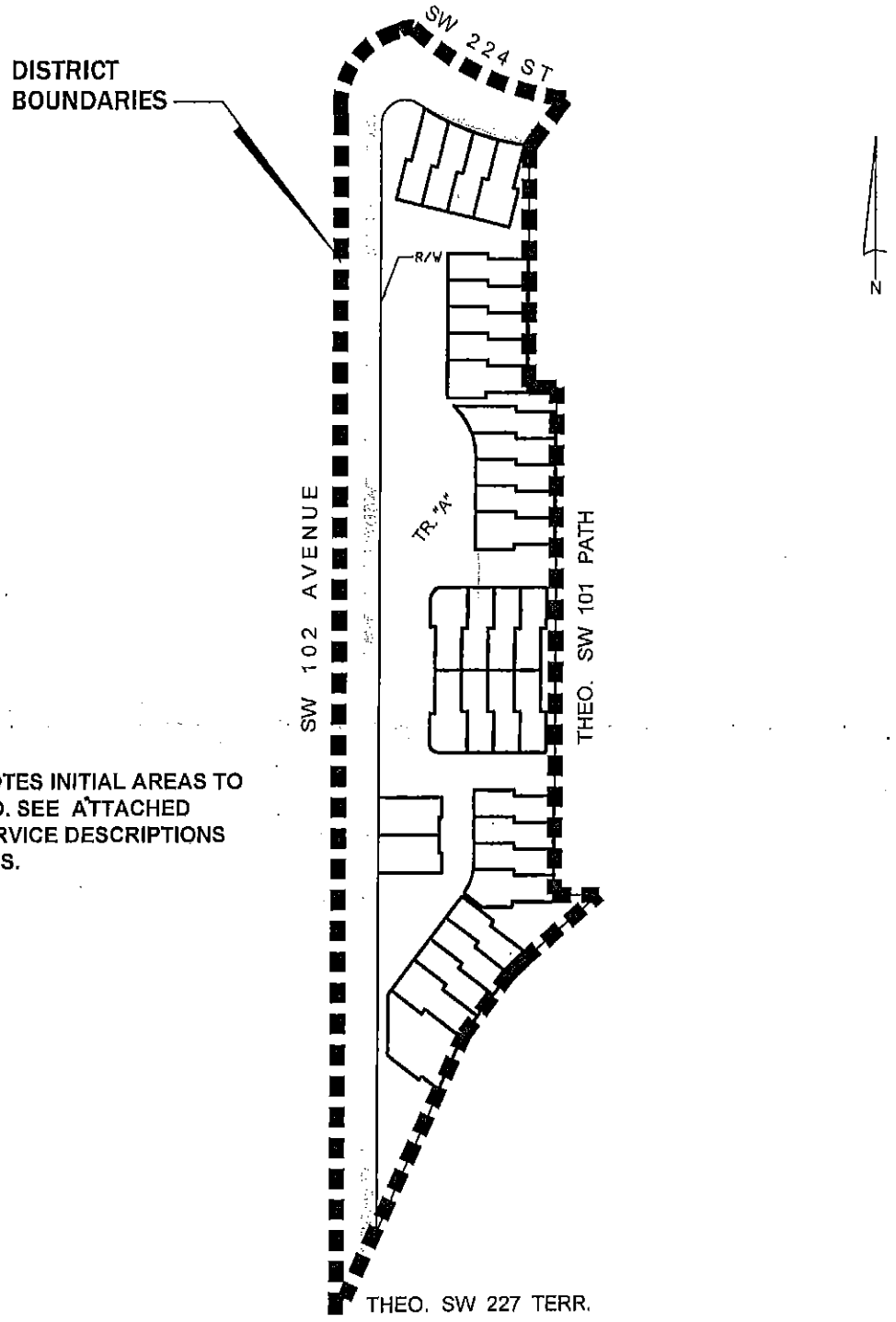
Subject: Street Lighting, Maintenance of Landscape, Walls Adjacent to Double-Frontage Lots and Lakes Special Taxing Districts

Section: As Required
District: As Required
Council: As Required

Effective September 5, 2001, all tentative plats in the unincorporated area of Miami-Dade County submitted to the Land Development Division of the Public Works Department, must be accompanied by a properly executed petition for all applicable special taxing districts including, but not limited to street lights, maintenance of landscape, walls adjacent to double frontage lots, entrance features and lakes. Final Plats will not be presented to the Board of County Commissioners for consideration until the applicable special taxing districts are created, and all fees have been paid. In that regard, to ensure expeditious processing, this Memorandum may serve as approval for certain future special taxing district application requests as being consistent with the intent and purpose of the adopted 2005-2015 Comprehensive Development Master Plan (CDMP). Policy 4A – Capital Improvement Element states: Appropriate funding mechanisms will be adopted and applied by Miami-Dade County in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms include special tax districts, municipal taxing service units, local option taxes, user fees, local gas tax, general obligation bond, impact fees, and special purpose authorities, or others as appropriate and feasible (Adopted Components as Amended through April 2001, page IX-10). The provision for services over and above minimum for neighborhoods and communities may be accomplished through the special taxing district as may be prescribed by the code.

The Department of Planning and Zoning (DP&Z) has no objection to a blanket approval with condition to establish future special taxing districts as limited to requests for street lighting, landscape maintenance, walls adjacent to double-frontage lots and lake maintenance districts. The previously noted special taxing districts may be established on the condition that the DP&Z review all landscape maintenance districts for compliance with plantings in public rights-of-way and lake maintenance districts for consistency with Landscape Code (Chapter 18A) Section 18A-6(L) Storm Water Retention/Detention Areas.

DO'QW: GA: TBS



SHADING DENOTES INITIAL AREAS TO BE MAINTAINED. SEE ATTACHED SHEET FOR SERVICE DESCRIPTIONS AND LOCATIONS.

OAK HAMMOCK TOWNHOMES

MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

M-755 (COMM. 0008)
SECTION: 17 - 56 - 40

EXHIBIT "A"

(Boundaries and Geographical Location Sketch)

ATTACHMENT TO EXHIBIT "A"

OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTIRCT

AREAS TO BE MAINTAINED:

WALL AND ENTRANCE FEATURES ALONG SW 102 AVENUE.
BERMS AND LANDSCAPING ALONG SW 102 AVENUE AND SW 224 STREET.

MAINTENANCE SCHEDULE:

A) LAWN/GRASS

1) CUT BIMONTHLY AS REQUIRED
2) FERTILIZE AND WEED CONTROL AS NEEDED
3) TREAT FOR PESTS/DISEASES AS NEEDED
4) IRRIGATE WITH AUTOMATIC SYSTEM AND ELECTRICAL SERVICE FOR SAME.

B) TREES/SHRUBS

1) TRIM, FERTILIZE AND TREAT FOR PESTS AS NEEDED
2) REPLACE AS REQUIRED.

NOTE: THE SPECIAL TAXING DISTRICT ENCOMPASSES A PRIVATE DRIVE COMMUNITY, IT SHALL BE **DORMANT**; AND SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A "GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT" SUBMITTED AT THE SAME TIME AS THIS PETITION) OF ANY HOMEOWNERS ASSOCIATION AND/OR COMMUNITY DEVELOPMENT DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THIS DISTRICT'S MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISSIONERS AT A PUBLIC HEARING. OTHER MAINTENANCE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT'S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

TRACT A: INGRESS/EGRESS, WALLS, AND COMMON AREAS.

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(P)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(P)
6-30-15

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 6) grants to the electors of Miami-Dade County power to adopt a home rule charter of government for Miami-Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Miami-Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and governing body of Miami-Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including landscape improvement and other maintenance programs, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefor; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition for the creation of a special taxing district to be known as the OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING

DISTRICT duly signed by 100% of the owners (developer/petitioner) of property within the proposed district, was filed with the Clerk of the County Commission. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing maintenance of landscaped swales and/or medians, and the exterior faces of any fencing or walls adjacent to public rights-of-way located within the public domain, and any common or landscaped areas within the public domain to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Mayor or County Mayor's designee who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Miami-Dade County, Florida; and

WHEREAS, the County Mayor or County Mayor's designee, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners a written report and recommendations, included herein by reference, setting forth the boundaries of the proposed special taxing district, the location, nature and character of the multipurpose maintenance programs to be provided within the proposed district, an estimate of the cost of maintaining and operating such improvements and/or services, certification that the proposed district's improvements and multipurpose maintenance programs and/or services conform to the master plan of development for the County, and setting forth recommendations concerning the need for and desirability of the requested district, the ability of the affected properties to bear special assessments to fund the cost of maintaining and operating such improvements and multipurpose maintenance programs and/or services, and an estimate of the amount to be assessed against each square foot of the benefited properties within the proposed district, and expressing an opinion that the properties to be specially assessed will be benefited in excess of the special assessments to be levied, and the County Mayor or County Mayor's designee attached to such report and recommendations a map or sketch showing the boundaries

and geographical location of the proposed district. Such "Report and Recommendations" of the County Mayor or County Mayor's designee was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appears to the Board of County Commissioners from such report of the County Mayor or County Mayor's designee and other investigations that the district petitioned for would be of special benefit to all properties within the proposed boundaries and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board will certify the place, date and hour for a public hearing on the petition of the property owners (developer/petitioner) and the report and recommendations of the County Mayor or County Mayor's designee -- said hearing will be held on Tuesday, . Copies of the public notice will be duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof will be posted in not less than five (5) public places within the proposed district, and copies thereof will be mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, , will hold a public hearing, at which all interested persons will be afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Mayor or County Mayor's designee and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Mayor or County Mayor's designee, and the provisions of Chapter 18 of the Code of Miami-Dade County, Florida,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a special taxing district to be known and designated as the OAK HAMMOCK TOWNHOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT is hereby created and established in the unincorporated area of Miami-Dade County, Florida.

Section 2. The area or boundaries of this proposed special taxing district are as follows:

> A portion of Section 17, Township 56 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:
>
> Commence at the northwest corner of the NW ¼ of the SE ¼ of said Section 17; thence S 00° 47' 47" E along the west line of the SE ¼ of said Section 17 for 1,146.17 feet; thence N 89° 12' 13" E for 35.00 feet to the Point-of-Beginning; thence N 23° 12' 28" E for 223.59 feet; thence N 36° 23' 16" E for 85.68 feet; thence N 48° 34' 04" E for 118.87 feet; thence S 89° 12' 13" W for 46.94 feet; thence N 00° 47' 47" W for 528.85 feet; thence S 89° 10' 16" W along the southern property line of Sunset Apartments, according to the Plat thereof, as recorded in Plat Book 156, Page 89 of the Public Records of Miami-Dade County, Florida, for 30.00 feet; thence N 00° 49' 44" W along the western property line of said plat of Sunset Apartments for 252.59 feet to a point of curvature of a circular curve to the right, having a radius of 287.37 feet, a central angle of 25° 07' 50", for an arc length of 126.04 feet to a point of curvature of a circular curve to the left, having a radius of 25.00 feet, a central angle of 122° 48' 04", for an arc length of 53.58 feet to a point of tangency; thence S 00° 47' 47" E for 1,153.59 feet to the Point-of-Beginning (a.k.a. Oak Hammock Townhomes, Tentative Plat # T-23366).

The area and geographical location of this proposed special taxing district are shown on the exhibit map or sketch, and made a part herein by reference.

Section 3. The services to be provided within this proposed special taxing district will initially consist of the following:

Maintenance of landscaped swales and/or medians including turf, and any trees, shrubs, and irrigation including utility payments, common areas, any entrance features, and the exterior of any fencing or walls within the district's boundaries abutting public rights-of-way should any association or community development district (CDD) fail to provide these services. The district will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to Miami-Dade County and recorded in the Public Records. Service will commence following failure of any association or CDD to provide these services, and upon adoption of the district's multipurpose maintenance assessment roll. Other maintenance services may be provided in the future as specified in the district's ordinance and amendments thereto.

Section 4. The estimated cost to the property owners for the multipurpose maintenance project and operation of the proposed district's improvements and/or services including engineering, administration, billing, collecting and processing for the first year is $10,399.91, and $5,262.33 for the second year. It is estimated that the cost per assessable square foot of real property within the proposed district is $0.0601 for the first year, and $0.0304 for the second year. The second and succeeding years' assessments will be adjusted from actual experience.

Section 5. It is hereby declared that said improvements and/or services will be a special benefit to all properties within the proposed special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6. Miami-Dade County, as administrator of this district's maintenance program, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the County Mayor or County Mayor's designee's report which is made a part herein by reference. If there is a proposed significant change to the level of service to be provided, the Parks, Recreation and Open Spaces Department shall conduct a meeting in the community, inviting all affected district property owners for the purpose of reviewing the district's budget and level of service.

Section 7. The County Mayor or County Mayor's designee is authorized and directed to cause to be made the maintenance and operation of various public improvements to be

installed within the proposed district in accordance with the provisions of this Ordinance. However, multipurpose maintenance services will be provided by the taxing district in accordance with the provisions of this ordinance only if an association and, if applicable, a community development district, have failed to provide these maintenance services and the County has adopted this proposed district's multipurpose maintenance assessment roll.

Section 8. The County Mayor or County Mayor's designee is further directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with utilization of the ad valorem tax collection method, if such special assessments are not paid, when due, the potential for loss of title to the property exists.

Section 9. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

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

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency: APW

Prepared by:

Jorge Martinez-Esteve

Memorandum

(Public Hearing 6-30-15)

Date: February 3, 2015

Agenda Item No. 5(T)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Proposed Zoning Ordinance Amending the Model City Urban Center Zoning District

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Attached please find material related to a zoning application filed in accordance with Section 33-284.89.3 of the County Code (Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan). The material consists of a proposed ordinance containing the applicant's proposed revisions to the Model City Urban Center District regulating plans and related text as well as the Department of Regulatory and Economic Resources' staff report. This item is quasi-judicial.

The proposed ordinance creates no fiscal impact on Miami-Dade County.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(T)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 5(T)
6-30-15

ORDINANCE NO. _____

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING THE REGULATING PLANS, DEVELOPMENT PARAMETERS, AND NON-CONFORMING USE PROVISIONS FOR THE MODEL CITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.99.43, 33-284.99.44 AND 33-284.99.46, CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sec. 33-284.99.43 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows[1]:

Sec. 33-284.99.43. Regulating Plans.

The Regulating Plans shall consist of the following controlling plans as defined and graphically depicted in this section:

A. The Land Use Plan, which delineates the areas where specified land uses and development of various types and intensities is permitted.

B. The Density Plan, which delineates areas where specified minimum and maximum residential densities shall be permitted.

C. The Building Heights Plan, which establishes the minimum and maximum allowable number of stories.

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

D. The Sub-districts Plan, which delineates three (3) sub-districts: the Core, Center and Edge. These sub-districts regulate the allowable intensity of development in accordance with the Comprehensive Development Master Plan and this article.

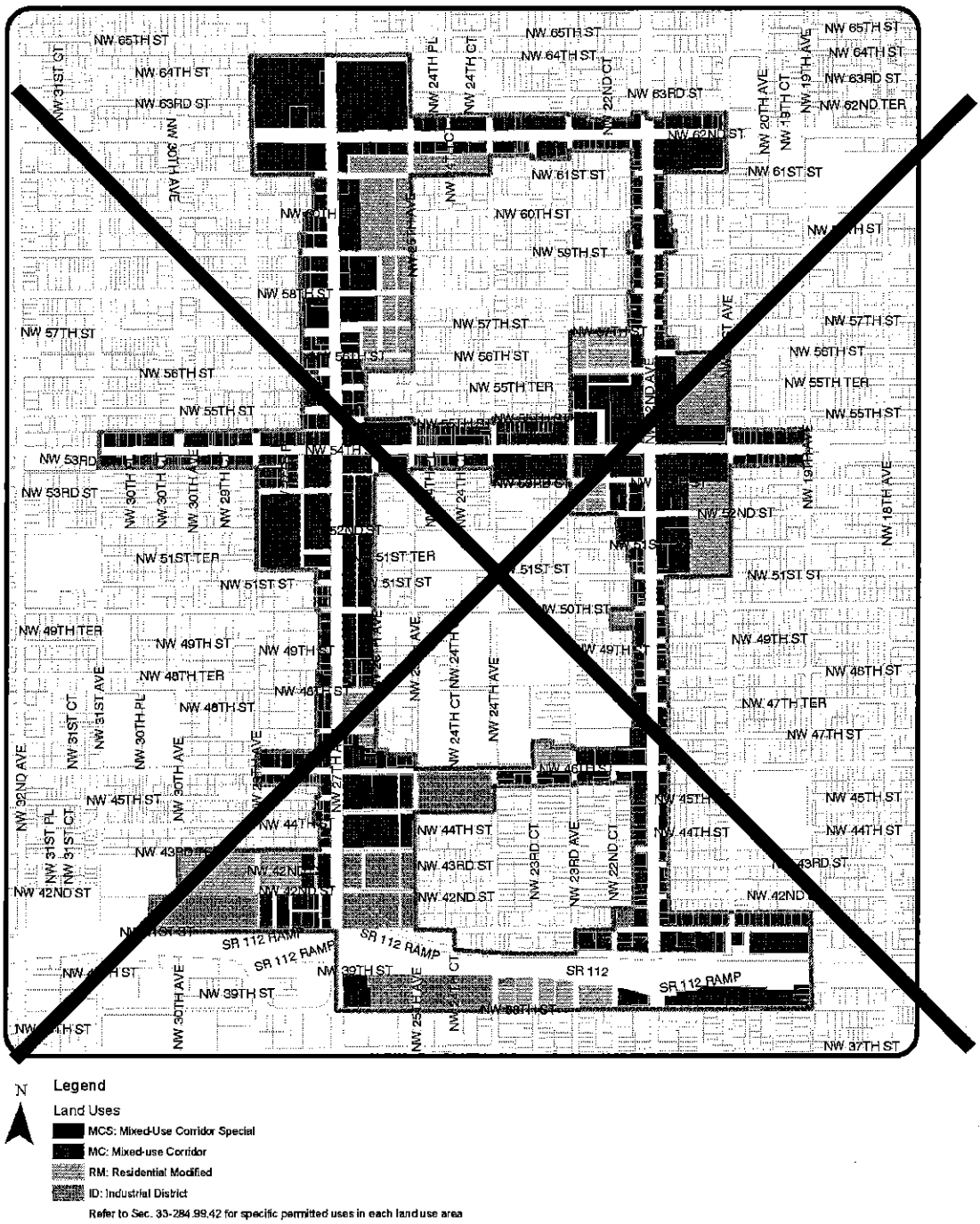
E. The Designated Open Space Plan, which designates open spaces, which shall be shown in all development plans. The designated open spaces are controlled by anchor points.

F. The New Streets Plan, which shows the location and the number of new streets needed to create the prescribed network of streets within the MCUCD District. All new A streets shall be required in the same general location as shown on the New Streets Plan. All B streets shall be located as provided in Section 33-284.86(F) of this code.

>>G. The Street Types Plan establishes a hierarchy of street types in existing and future locations that shall be provided and shown in all development plans. The three (3) Street Types and the hierarchy of streets (from most important to least important in accommodating pedestrian traffic) are Boulevard, Minor Street, and Service Road.<<

A. Land Use Plan

[[



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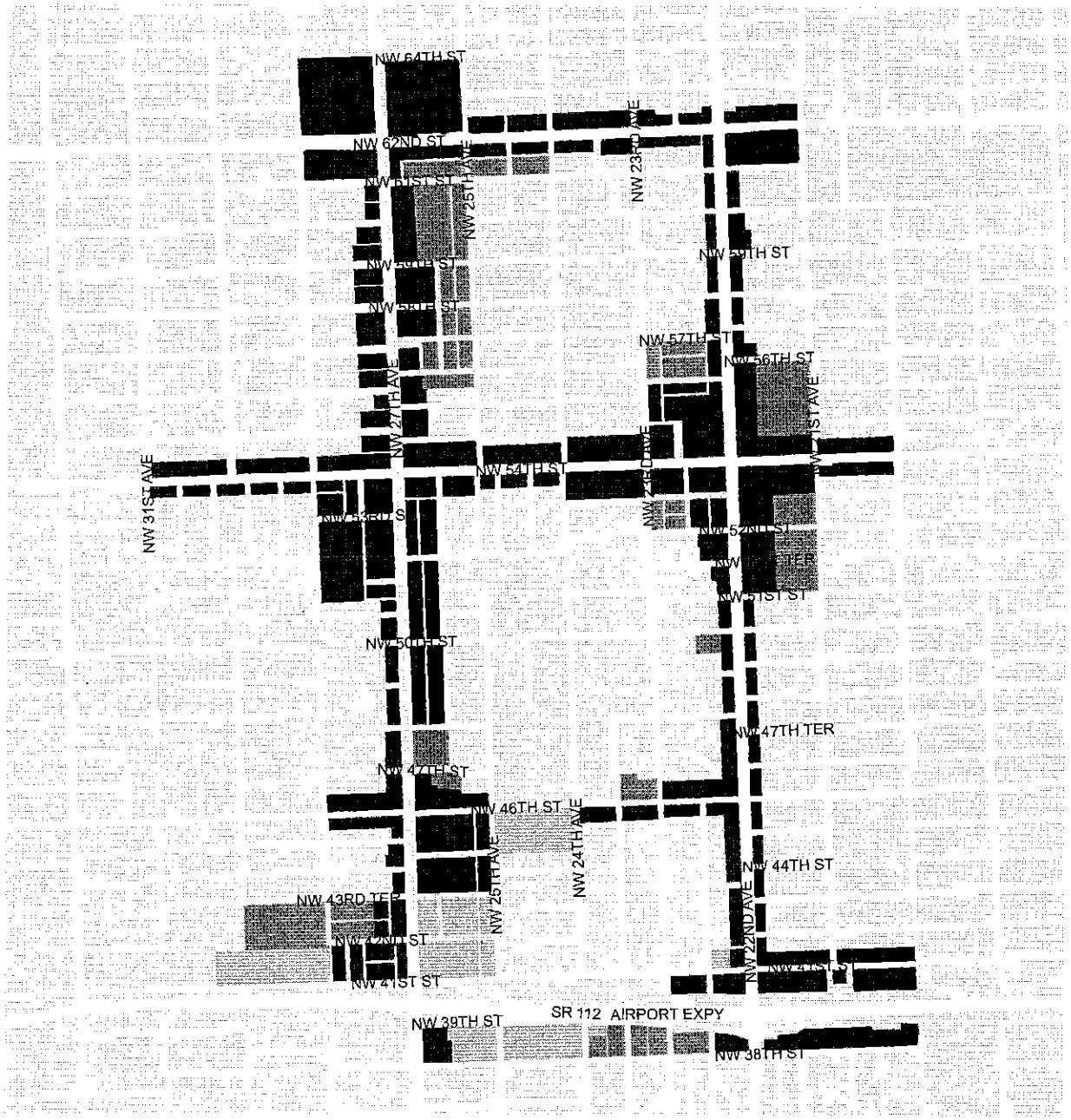
NW 64TH ST
NW 62ND ST
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NW 56TH ST
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NW 54TH ST
NW 31ST AVE
NW 52ND ST
NW 51ST ST
NW 50TH ST
NW 47TH TER
NW 47TH ST
NW 46TH ST
NW 24TH AVE
NW 44TH ST
NW 43RD TER
NW 25TH AVE
NW 41ST ST
NW 22ND AVE
NW 39TH ST
SR 112 AIRPORT EXPY
NW 38TH ST
Land Use
MC Mixed-Use Corridor
MCS Mixed-Use Special
RM Residential Modified
ID Industrial
0 375 750 1,500 2,250 3,000 Feet

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B. Density Plan

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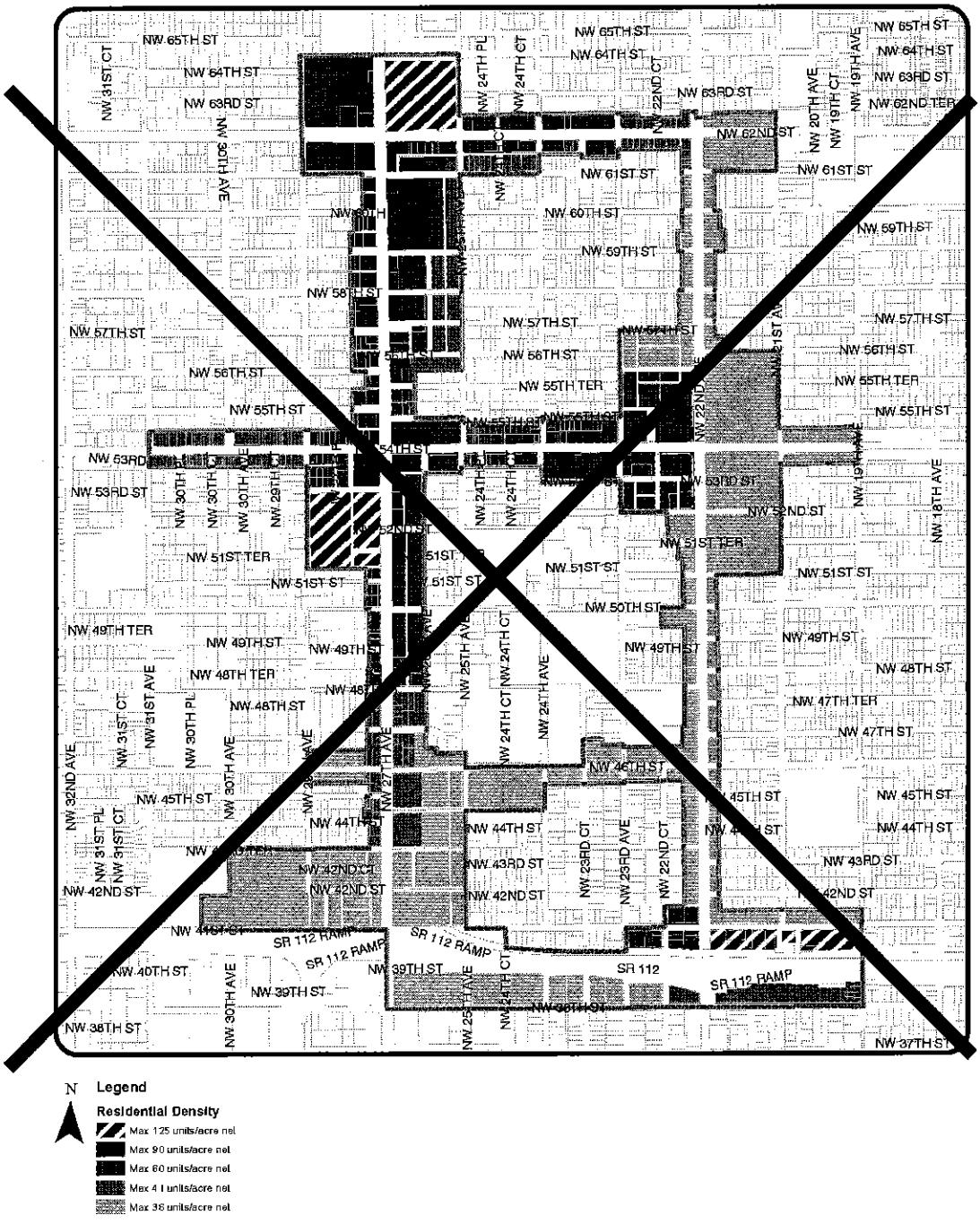

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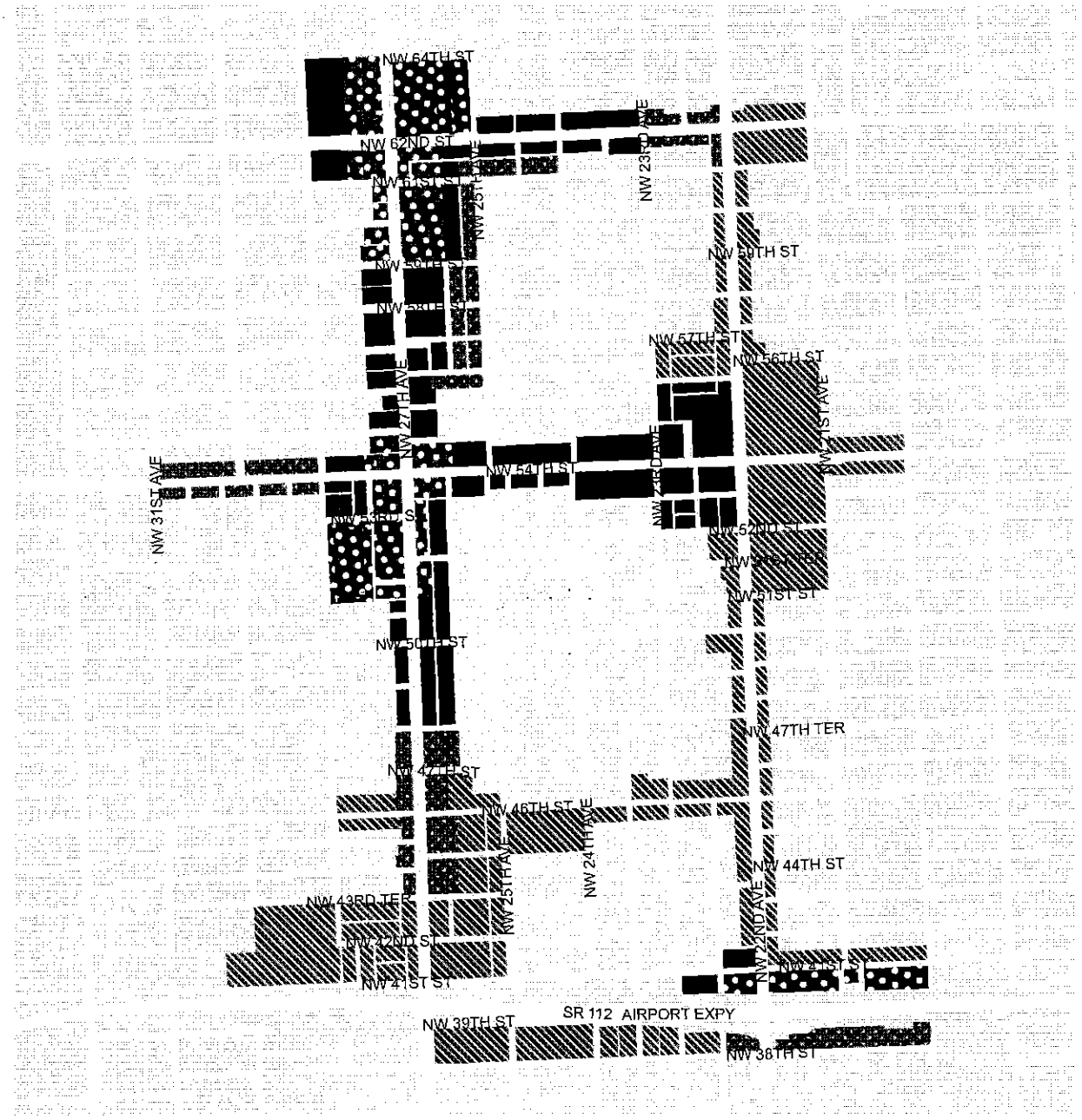
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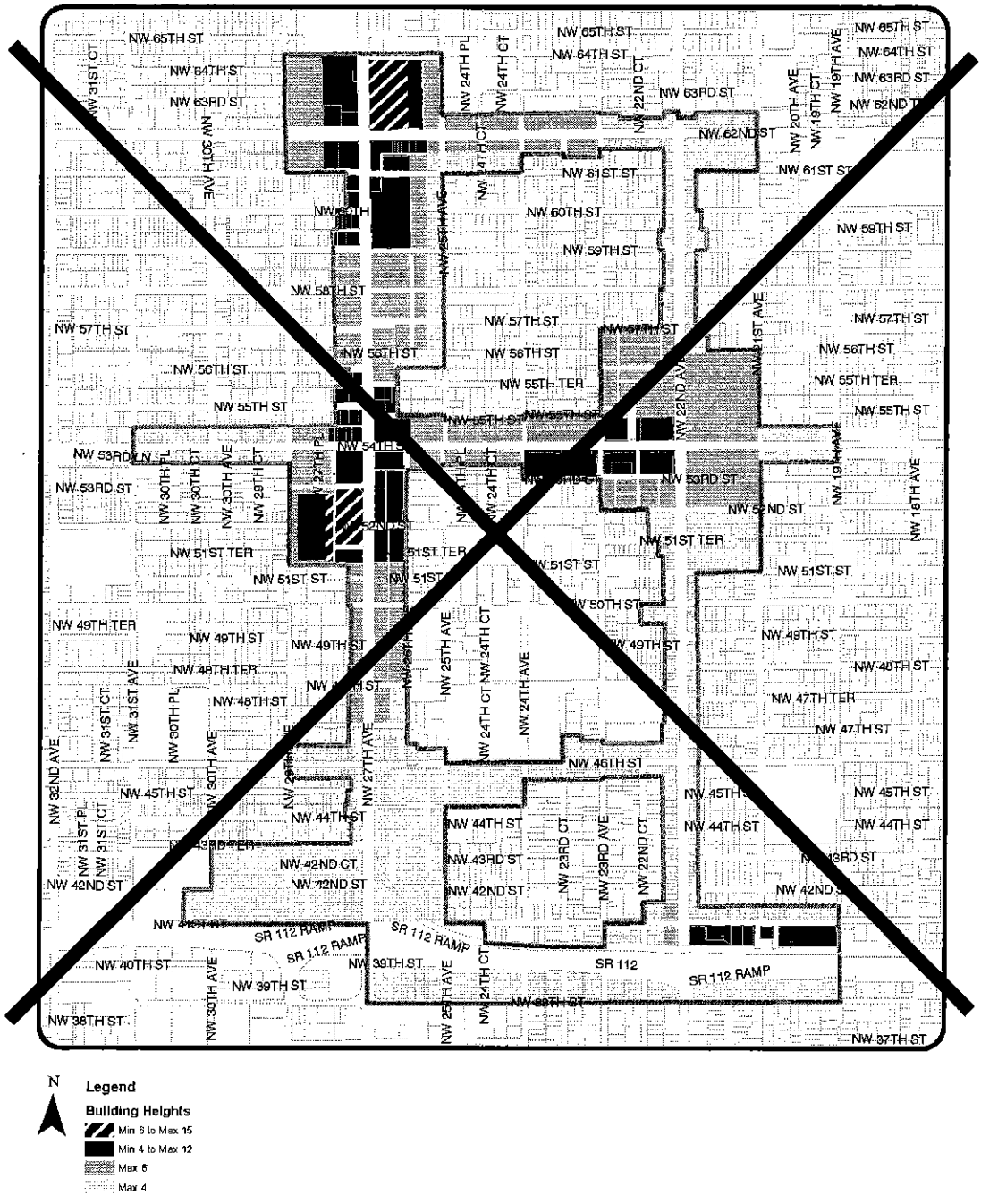
NW 51ST ST
NW 50TH ST
NW 47TH TER
NW 47TH ST
NW 46TH ST
NW 24TH AVE
NW 44TH ST
NW 25TH AVE
NW 43RD TER
NW 42ND ST
NW 41ST ST
NW 2ND AVE
NW 39TH ST
SR 112 AIRPORT EXPY
NW 38TH ST
Density
Max 125 Units/acre
Max 90 Units/acre
Max 60 Units/acre
Max 41 Units/acre
Max 36 Units/acre
0 375 750 1,500 2,250 3,000 Feet

<<

C: Building Heights Plan

[[



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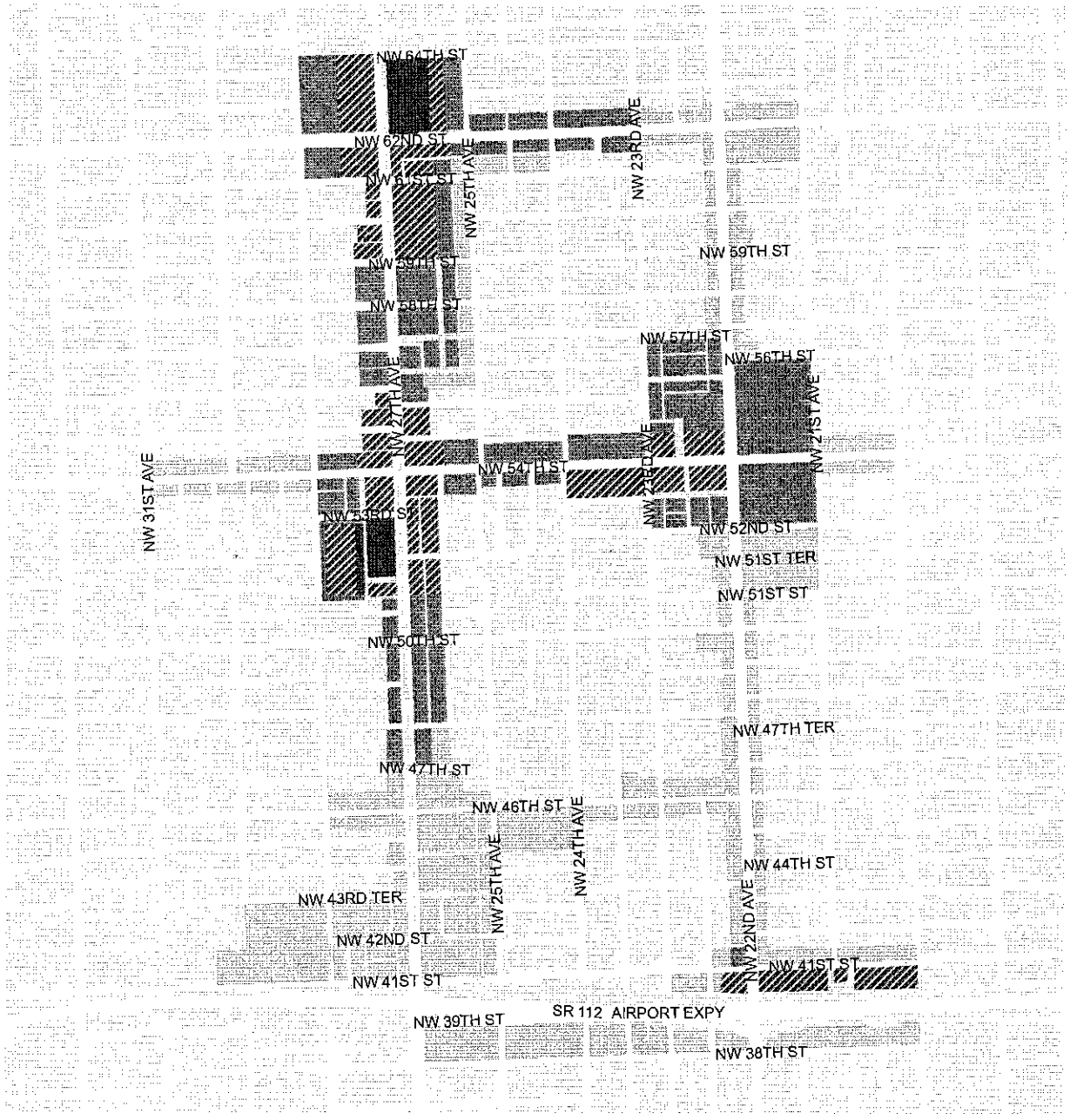
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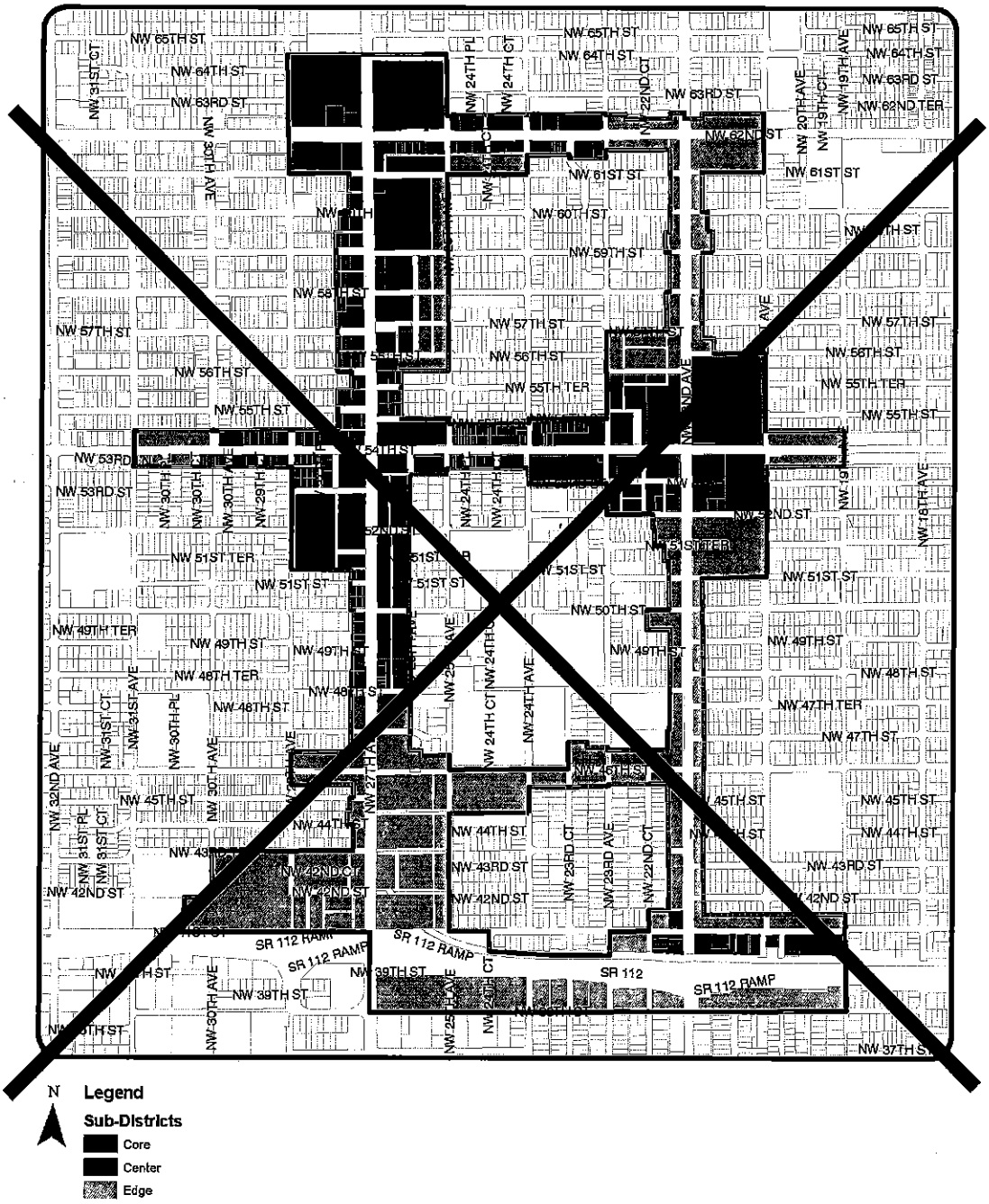
NW 46TH ST
NW 44TH ST
NW 43RD TER
NW 42ND ST
NW 41ST ST
NW 39TH ST
SR 112 AIRPORT EXPY
NW 38TH ST
NW 31ST AVE
NW 27TH AVE
NW 25TH AVE
NW 24TH AVE
NW 23RD AVE
NW 22ND AVE
NW 21ST AVE
Building Height
Min 6 - Max 15 Stories
Min 4 - Max 12 Stories
Max 6 Stories
Max 4 Stories
0 375 750 1,500 2,250 3,000 Feet

<<

D. Sub-districts Plan

[[



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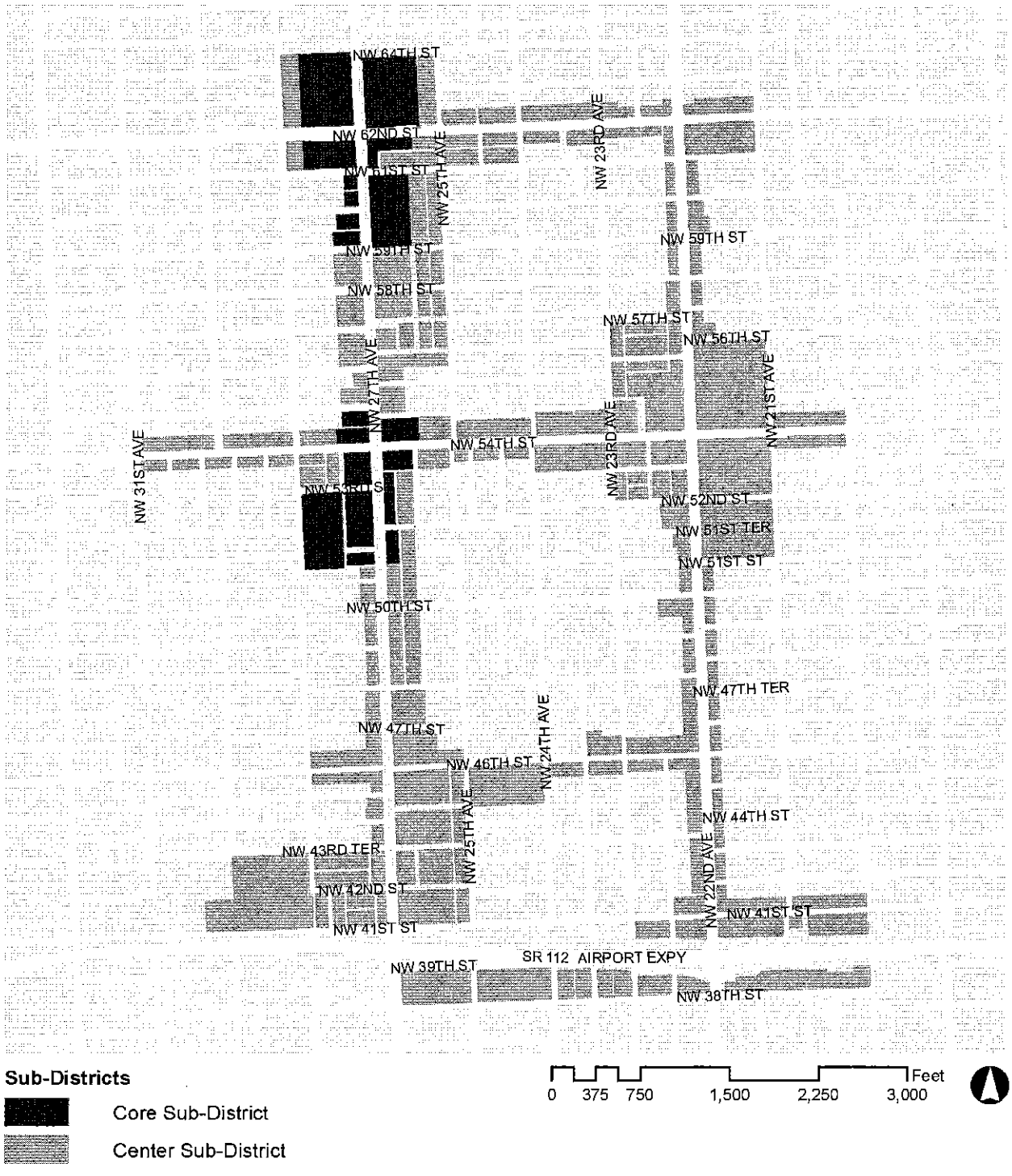
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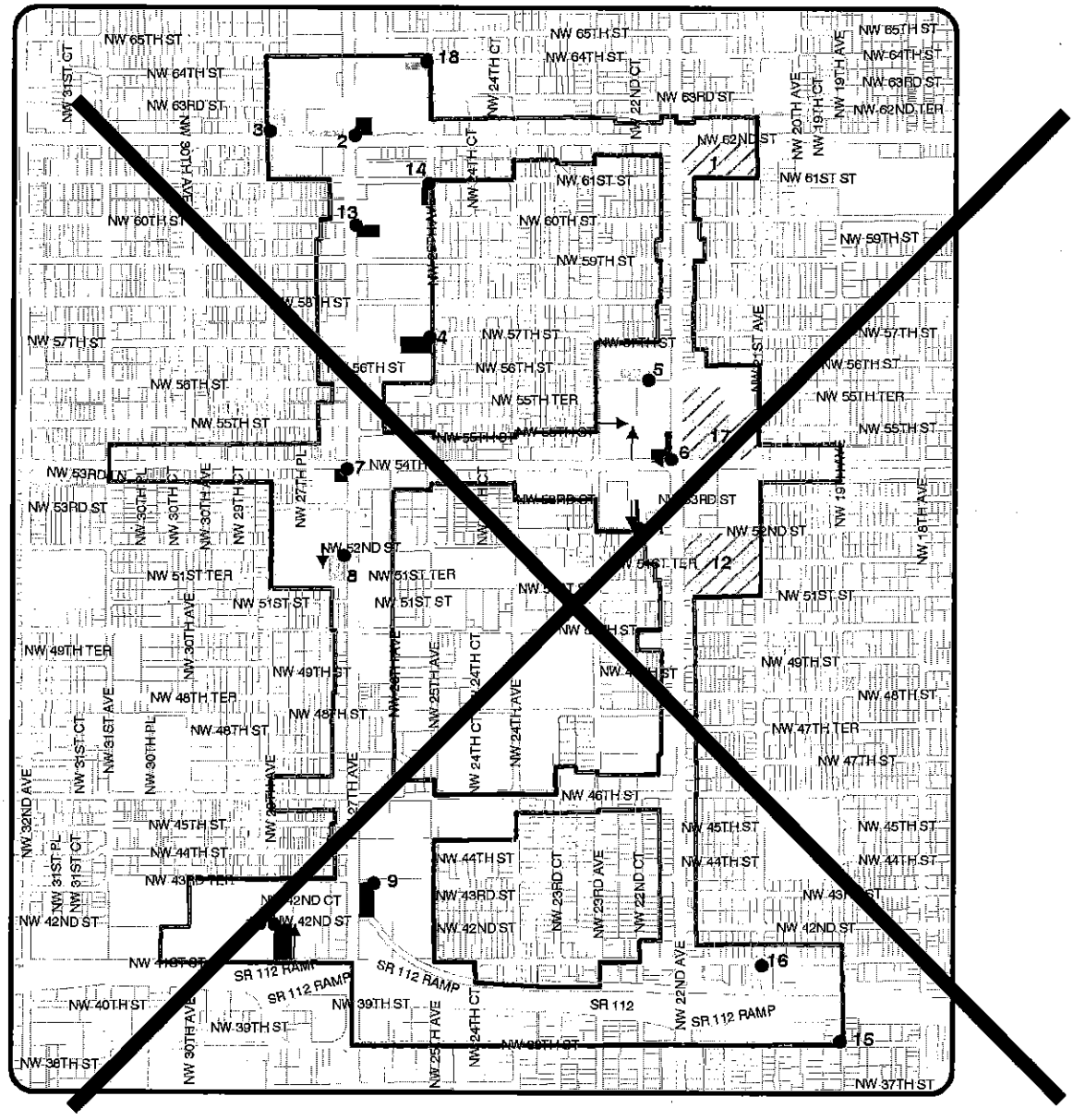
SR 112 AIRPORT EXPY
NW 38TH ST
NW 25TH AVE
NW 23RD AVE
NW 27TH AVE
NW 31ST AVE
NW 24TH AVE
NW 22ND AVE
NW 21ST AVE
Sub-Districts
Core Sub-District
Center Sub-District
0 375 750 1,500 2,250 3,000 Feet

<<

E. Designated Open Space Plan

[[



Number	Open Space Type	Size (Sq. Ft.)	Number	Open Space Type	Size (Sq. Ft.)
1	Existing	154,000	10	Square	43,000
2	Plaza	18,800	11	Square	6,900
3	Green	43,500	12	Existing	284,000
4	Square	33,100	13	Square	18,000
5	Green	18,300	14	Plaza	9,700
6	Plaza	22,800	15	Green	6,400
7	Plaza	10,200	16	Green	21,600
8	Square	25,100	17	Existing	295,600
9	Square	35, 800	18	Green	10,200

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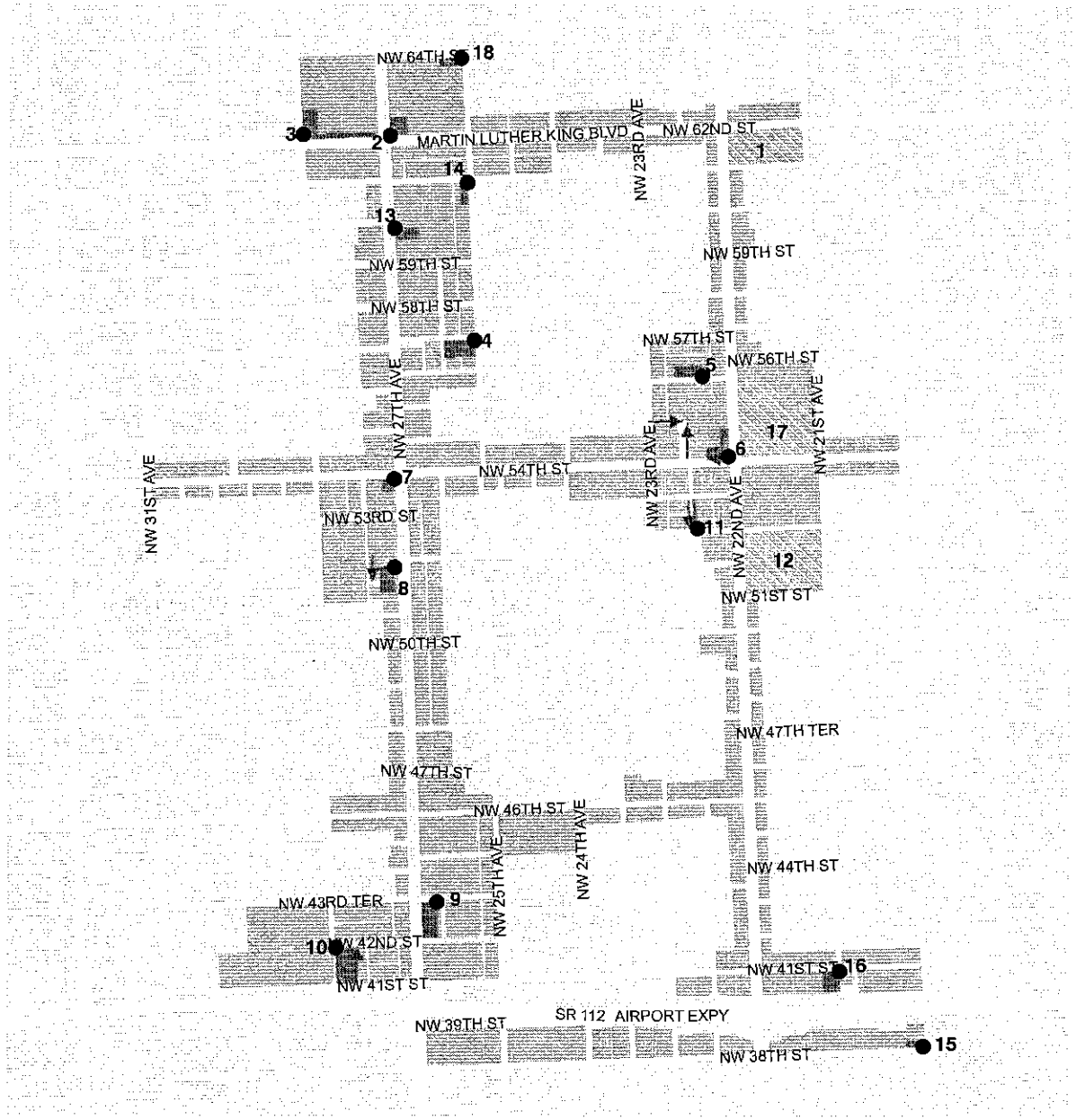


Designated Open Spaces

Designated Open Space

Existing Open Space - Miami-Dade County Park

Open Space Anchor Point

StreetVista

G: Green, S: Square, P: Plaza, E: Existing
N/A: Not applicable

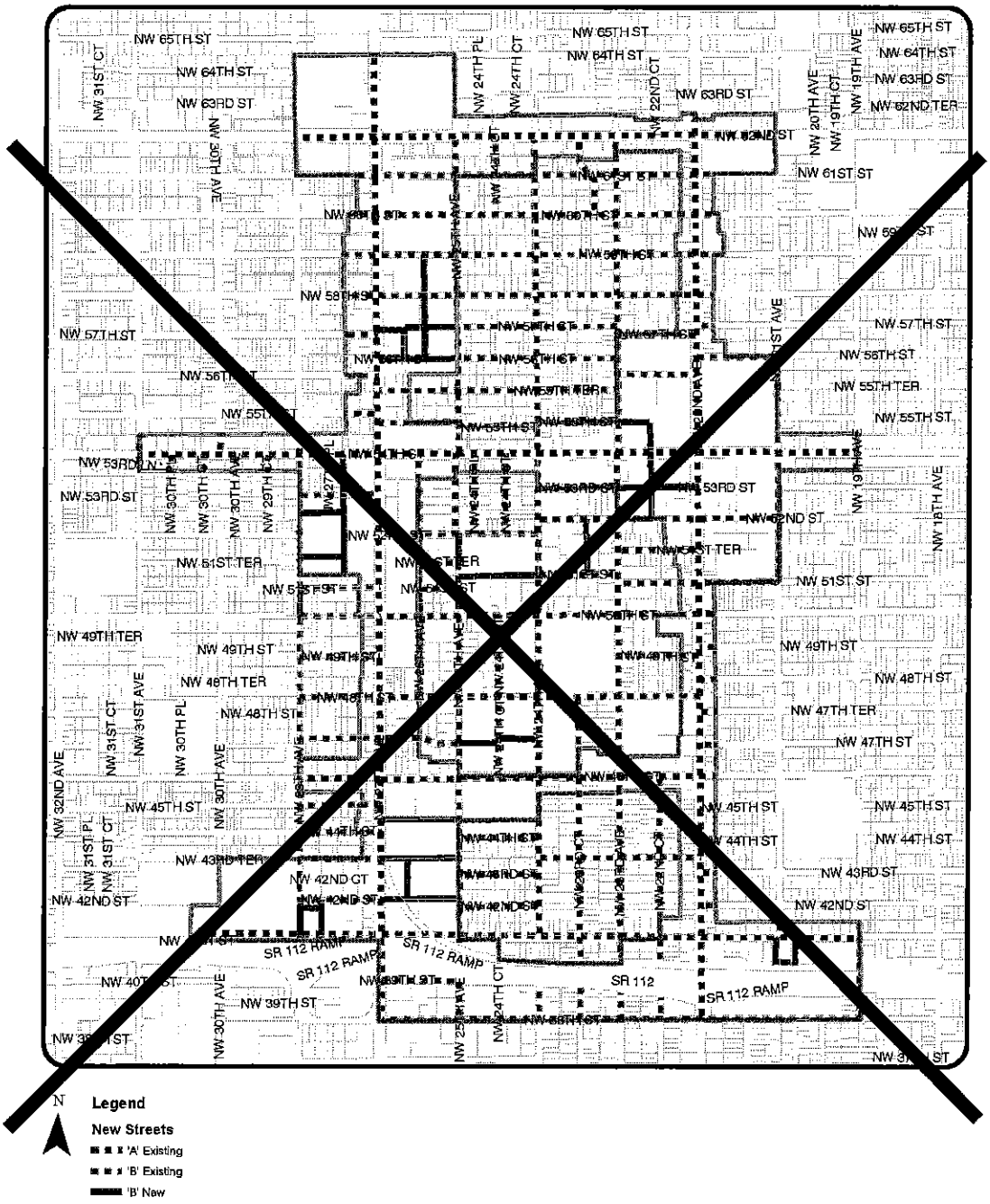
0 375 750 1,500 2,250 3,000 Feet

Number	Type	Area (sq. ft.)	Number	Type	Area (sq. ft.)
1	E	-	10	S	43,000
2	P	19,800	11	S	6,900
3	G	45,500	12	E	-
4	S	33,100	13	S	18,000
5	G	18,300	14	P	9,700
6	P	22,800	15	G	6,400
7	P	10,200	16	G	21,600
8	S	25,100	17	E	-
9	S	35,800	18	G	10,200

<<

F: New Streets Plan

[[



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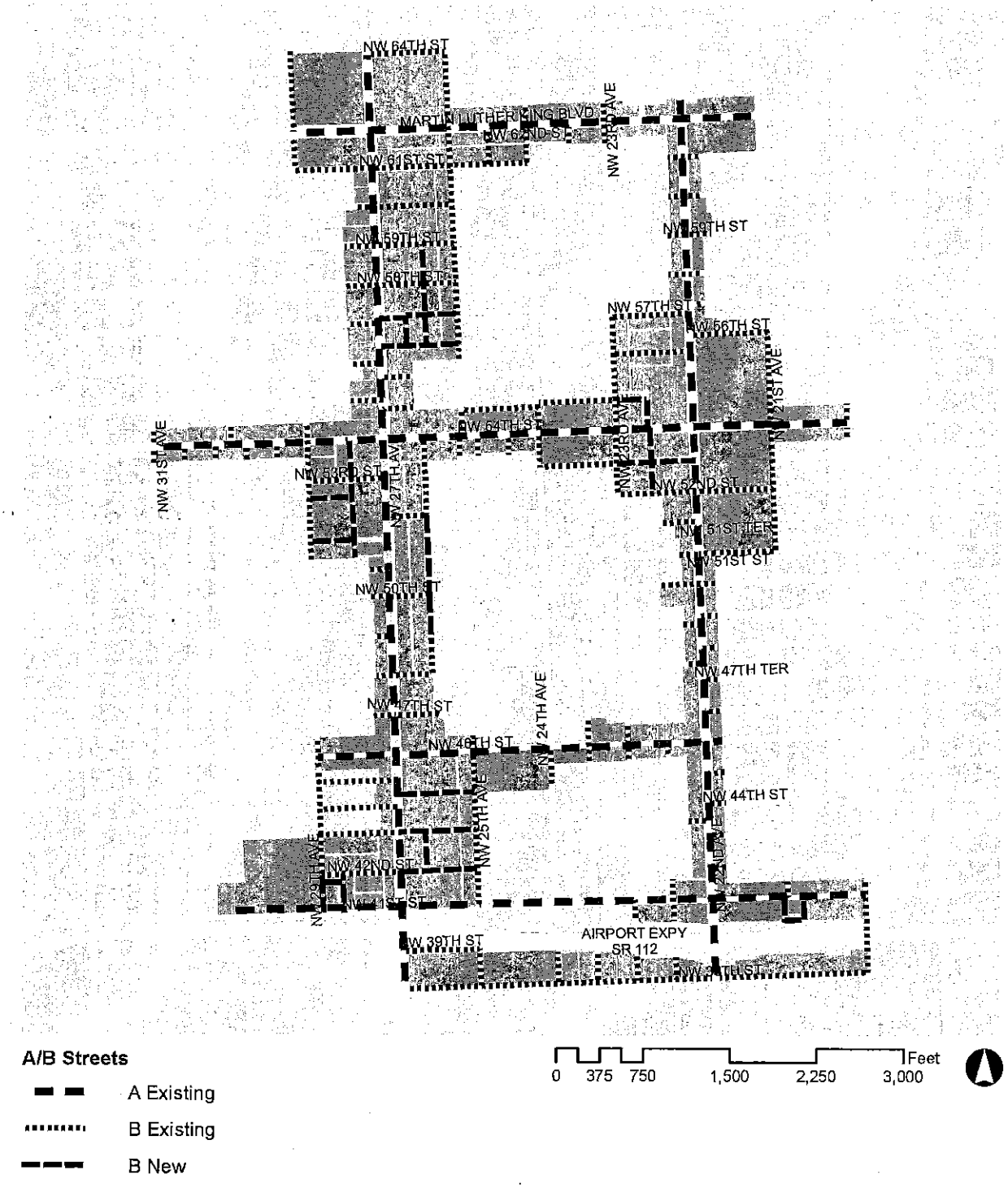
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MARTIN LUTHER KING BLVD
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NW 59TH ST
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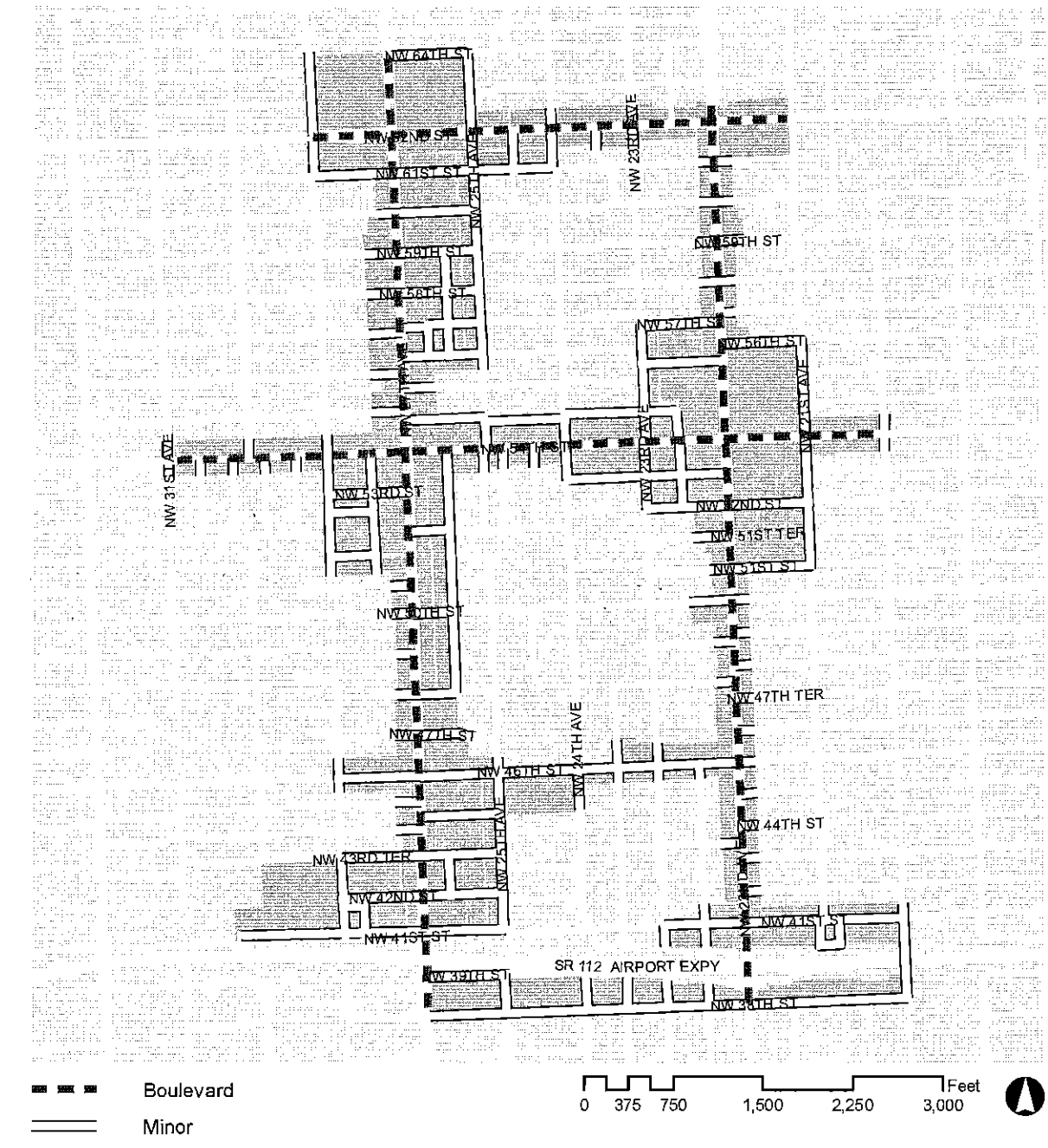
NW 31ST AVE
NW 27TH AVE
NW 24TH AVE
NW 21ST AVE
NW 51ST TER
NW 51ST ST
NW 50TH ST
NW 47TH TER
NW 47TH ST
NW 46TH ST
NW 44TH ST
NW 42ND ST
NW 39TH ST
AIRPORT EXPY
SR 112
A/B Streets
A Existing
B Existing
B New
0 375 750 1,500 2,250 3,000
Feet

G: Street Types Plan



Section 2. Sec. 33-284.99.44 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-284.99.44. Development parameters.

A. Except as otherwise provided in this section, all new development and redevelopment within the MCUCD shall comply with the development parameters as set forth in Article XXXIII(K) of this code.

B. All new development and redevelopment in areas designated MCS shall comply with the development parameters for the MC area as set forth in Article XXXIII(K) of this code, except that self-service gas stations shall comply with the development parameters applicable to the BU-1A district.

C. At a minimum, streets within the MCUCD shall comply with the [[~~Street Type Parameters for Type 5, Minor Street, as provided in Section 33-284.85 of this code~~]] >>Streets, Service Roads and Utilities standards in Article XXXIII(K) of this code or as provided herein.

Street type	**Minimum Required Configuration**	
	Core/Center	Edge
Boulevard	As provided in this section	
Minor Street	Street type 3, 4, or 5	

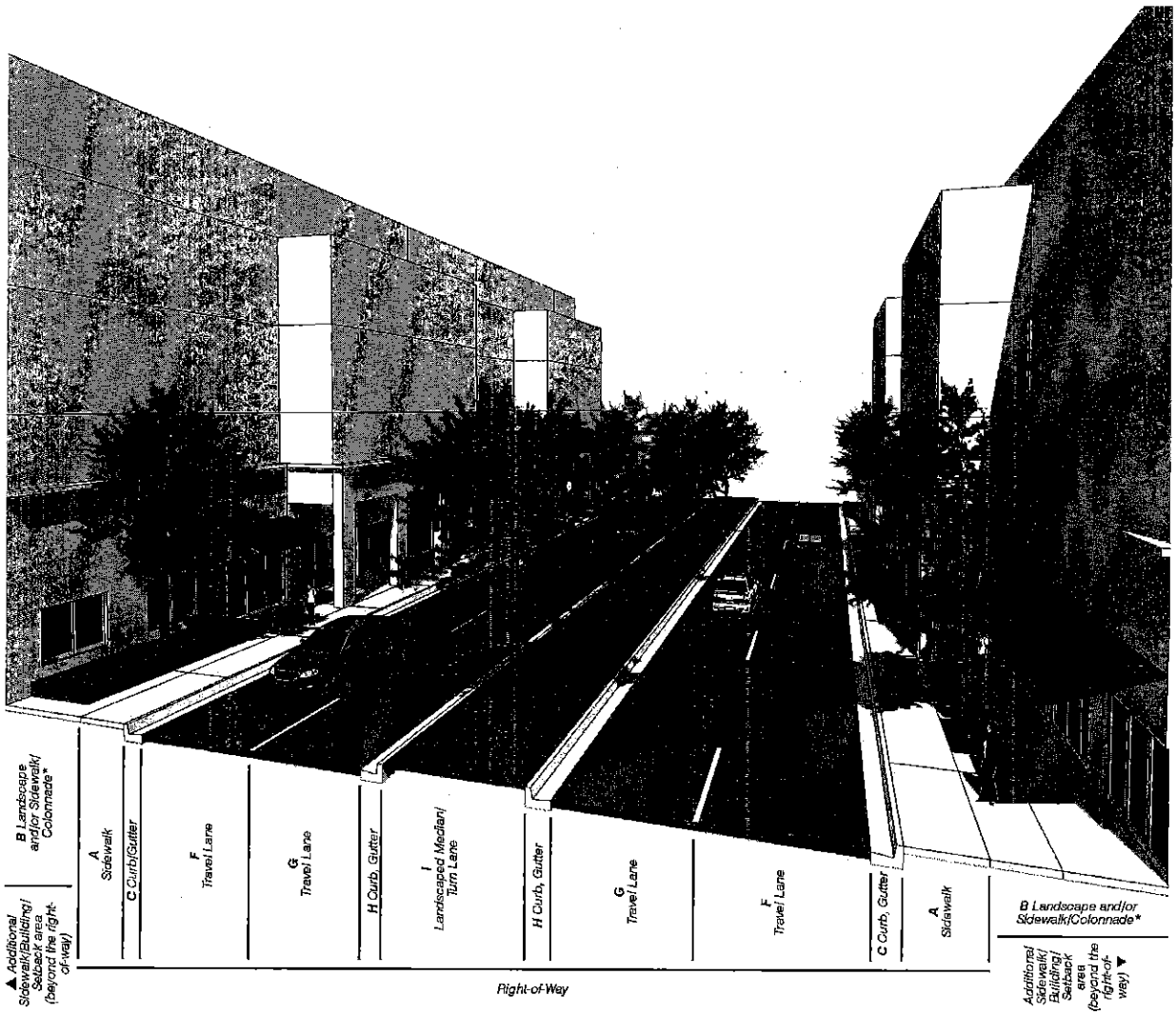
D. The following setbacks shall be required where a Building Placement Standard in Article XXXIII(K) of this code refers to a Frontage Table:

Street Type	Required Setback		
	Core	Center	Edge
Boulevard	0' * 10' **	0' * 10' **	10' or 15'
Minor Street	0' * 10' **	0' * 10' **	10' or 15'
Note: * Colonnade required			

** Setback adjoining ground-story residential uses shall be landscaped and/or hard surfaced

E. Street Types Development Parameters.

Boulevard



* Refer to column B in Street Types Table for required landscape elements.

Street Type	Required Elements					
	A. Sidewalk (Min.)	B. Landscape [b, c, d]	C. Curb/ Gutter [e]	F, G. Travel Lanes [h]	H. Curb/ Gutter [f]	I. Median/Turn Lane (Min.)
Boulevard *Core/Center/ Edge*	5'	Tree grates; tree planters; landscape strip	2'	11'	2'	6' (Median) 10' (Turn Lane)
N/A: Not Applicable [#] Footnote (as provided below)						

Footnotes:

a. Landscape area is exclusive of the minimum sidewalk width.

b. Street trees shall have a minimum caliper of six (6) inches at time of planting.

c. Permanent irrigation is required.

d. Tree grates shall have a minimum area of twenty-four (24) square feet; tree planters shall have a minimum area of thirty-two (32) square feet; continuous landscape strips shall have a minimum width of six (6) feet in the Core and Center Sub-districts, eight (8) feet in the Edge Sub-district.

e. In all Sub-districts, curbs and gutters shall be provided at all intersections and roadway edges of arterials and boulevards; in Core and Center Sub-districts, curbs and gutters shall be provided at all intersections and roadway edges of minor streets.

f. The minimum required width of one-lane/one-way travel lanes shall be determined by the Department of Public Works and Waste Management and Fire Rescue

Department on a case-by-case basis during the Administrative Site Plan Review process (ASPR).<<

Section 3. Sec. 33-284.99.46 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-284.99.46. Nonconforming structures, uses, and occupancies.

[[~~Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, or occupancy in the MCUCD that either: (1) was existing as of the date of the district boundary change on the property to MCUCD; or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use, or occupancy in the MCUCD that is discontinued for a period of at least six months, or is superseded by a lawful structure, use, or occupancy permitted under this chapter, or that incurs damage to an extent of 50 percent or more of its market value, shall be subject to Section 33-35(c) of this code. However, a lawfully existing single-family home use that is discontinued for a period of at least six months or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall not be subject to Section 33-35(c) of this code.~~]]

>>Non-conforming Structures, Uses, and Occupancies shall be governed by the provisions of section 33-284.89.2.<<

Section 4. If any section, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of this Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and made part of the Code of Miami-Dade County, Florida. The section 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 6. 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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

Recommendation Summary for Model City Urban Center District (MCUCD)	
Commission District	3
Applicant	Miami-Dade County Department of Regulatory and Economic Resources
Summary of Requests	This application seeks to amend the Model City Urban Center District (MCUCD) regulations in order to (1) update the land use, density and building heights regulating plans of the Model City Urban Center District (MCUCD) regulations; (2) add a "street types" regulating plan; and (3) update the Development Parameters and the Non-conforming use sections.
Location	Generally located south of NW 65th Street, east of NW 31st Avenue, west of NW 19th Avenue and north of NW 38th Street, Miami-Dade County.
Property Size	±386 acres
Existing Zoning	Model City Urban Center District (MCUCD)
Existing Land Use	Mixed-use
2015-2025 CDMP Land Use Designation	Urban Center
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval**

REQUEST:

This application seeks to amend the Model City Urban Center District (MCUCD) regulations in order to (1) update the land use, density and building heights regulating plans of the Model City Urban Center District (MCUCD) regulations; (2) add a "street types" regulating plan; and (3) update the Development Parameters and the Non-conforming use sections, to conform to the County's Standard Urban Center District regulations, Ordinance No. 12-86.

The updated regulating plans also provide for increased density and height for certain parcels located immediately west of the Earlington Heights Metrorail Station on the north side of State Road 112. More specifically, the request is to increase the density of these five parcels from 90 to 125 dwelling units per acre and to increase the maximum allowable height from 4 and 6 stories to 12 stories.

PURPOSE, PROPERTY HISTORY & DESCRIPTION:

This application has two purposes. The main purpose is to bring the Model City Urban Center District Regulations -- one of the County's Urban Center Districts (UCDs) -- in conformance with recent updates to the County's Standard Urban Center District Regulations (SUCO). The second purpose is to provide for additional intensification immediately west of the Earlington Heights Metrorail Station.

On October 2, 2012, the Board of County Commissioners (BCC) adopted Ordinance No. 12-86, which was a comprehensive overhaul to the County's Standard Urban Center District Regulations (SUCO). This comprehensive update, among other things, standardized a series of regulations that were included in the individual Urban Center Districts (UCDs), including the permitted uses, building placement and street type development parameters and the various nonconforming sections. As a result, all individual UCDs need to be amended to conform to Ordinance No. 12-86. However, no formal process existed in order to effectuate the required updates. On December 3, 2013, the BCC adopted Ordinance No. 13-119, establishing a formal process to change land use categories or regulating plans in urban center or urban area districts. The proposed amendments included in this application will bring the Model City Urban Center District Regulations into conformity with the updated SUCO.

Regarding the intensification of properties near the Earlington Heights Metrorail Station, the proposed amendment seeks to authorize additional density and height for five parcels, wholly comprising a block, located directly across the street from the Station and bounded by NW 22 Avenue to the east, NW 41 Street to the north, NW 22 Court to the west and State Road 112 (Airport Expressway) to the south. In summary, the density increase is from a maximum of 90 dwelling units per acre to a maximum of 125 dwelling units per acre. The proposed height increase is from a maximum of 6 stories to a maximum of 12 stories.

RECOMMENDATION:

Staff notes that the proposed updates to the Model City Urban Center District (MCUCD) regulations are primarily designed to bring MCUCD into conformance with the SUCO update and are technical in nature.

Staff notes that the proposed intensification of the parcels previously described is **consistent** with the adopted 2020-2030 Comprehensive Development Master Plan (CDMP). Specifically, the Land Use Plan Map of the CDMP designates the Earlington Heights Metrorail Station as a Community Urban Center. The CDMP's Land Use Plan Map interpretative text states that the area developed as an urban center shall extend to a radius of 700 to 1,800 feet from the transit station and it authorizes a maximum density of 125 dwelling units per acre. The block containing the subject parcels is located within 100 feet of the Earlington Heights Station site and the block is buffered by commercial properties and rights-of-way from any residential, single-family properties. Thus, staff finds the proposed intensification **compatible** with the surrounding area and recommends approval of the updates to the MCUCD.

Eric Silva, AICP, Senior Division Chief
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners

PH – 14-122

Recommendation Summary for Model City Urban Center District (MCUCD)	
Commission District	3
Applicant	Miami-Dade County Department of Regulatory and Economic Resources
Summary of Requests	This application seeks to amend the Model City Urban Center District (MCUCD) regulations in order to (1) update the land use, density and building heights regulating plans of the Model City Urban Center District (MCUCD) regulations; (2) add a "street types" regulating plan; and (3) update the Development Parameters and the Non-conforming use sections.
Location	Generally located south of NW 65th Street, east of NW 31st Avenue, west of NW 19th Avenue and north of NW 38th Street, Miami-Dade County.
Property Size	±386 acres
Existing Zoning	Model City Urban Center District (MCUCD)
Existing Land Use	Mixed-use
2015-2025 CDMP Land Use Designation	Urban Center
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval of Request No. 1 and Withdrawal of Request No. 2**

REQUEST:

(1) This application seeks to amend the Model City Urban Center District (MCUCD) regulations in order to (1) update the land use, density and building heights regulating plans of the Model City Urban Center District (MCUCD) regulations; (2) add a "street types" regulating plan; and (3) update the Development Parameters and the Non-conforming use sections, to conform to the County's Standard Urban Center District regulations, Ordinance No. 12-86.

(2) The updated regulating plans also provide for increased density and height for certain parcels located immediately west of the Earlington Heights Metrorail Station on the north side of State Road 112. More specifically, the request is to increase the density of these five parcels from 90 to 125 dwelling units per acre and to increase the maximum allowable height from 4 and 6 stories to 12 stories.

PURPOSE, PROPERTY HISTORY & DESCRIPTION:

This application has two purposes. The main purpose is to bring the Model City Urban Center District Regulations -- one of the County's Urban Center Districts (UCDs) -- in conformance with recent updates to the County's Standard Urban Center District Regulations (SUCO). The second purpose is to provide for additional intensification immediately west of the Earlington Heights Metrorail Station.

On October 2, 2012, the Board of County Commissioners (BCC) adopted Ordinance No. 12-86, which was a comprehensive overhaul to the County's Standard Urban Center District Regulations (SUCO). This comprehensive update, among other things, standardized a series of regulations that were included in the individual Urban Center Districts (UCDs), including the permitted uses, building placement and street type development parameters and the various nonconforming sections. As a result, all individual UCDs need to be amended to conform to Ordinance No. 12-86. However, no formal process existed in order to effectuate the required updates. On December 3, 2013, the BCC adopted Ordinance No. 13-119, establishing a formal process to change land use categories or regulating plans in urban center or urban area districts. The proposed amendments included in this application will bring the Model City Urban Center District Regulations into conformity with the updated SUCO.

Regarding the intensification of properties near the Earlington Heights Metrorail Station, the proposed amendment seeks to authorize additional density and height for five parcels, wholly comprising a block, located directly across the street from the Station and bounded by NW 22 Avenue to the east, NW 41 Street to the north, NW 22 Court to the west and State Road 112 (Airport Expressway) to the south (Exhibit A). In summary, the density increase is from a maximum of 90 dwelling units per acre to a maximum of 125 dwelling units per acre. The proposed height increase is from a maximum of 6 stories to a maximum of 12 stories.

RECOMMENDATION:

Staff notes that the proposed updates to the Model City Urban Center District (MCUCD) regulations are primarily designed to bring MCUCD into conformance with the SUCO update and are technical in nature. Staff recommends approval of Request No. 1.

Staff notes that the proposed intensification of the parcels located on the southwest corner of NW 22 Avenue and NW 41 Street (Request No. 2) is **consistent** with the adopted 2020-2030 Comprehensive Development Master Plan (CDMP). Specifically, the Land Use Plan Map of the CDMP designates the Earlington Heights Metrorail Station as a Community Urban Center. The CDMP's Land Use Plan Map interpretative text states that the area developed as an urban center shall extend to a radius of 700 to 1,800 feet from the transit station and it authorizes a maximum density of 125 dwelling units per acre. The block containing the subject parcels is located within 100 feet of the Earlington Heights Station site and the block is buffered by commercial properties and rights-of-way from any residential, single-family properties. Thus, staff finds the proposed intensification **compatible** with the surrounding area and recommends approval of the updates to the MCUCD.

However, after further consultation with the community, staff is requesting that property owners of those parcels continue to work with the community and at this time would like to withdraw Request No. 2. Staff notes that those property owners would be able to apply for said modifications in the future.

Nathan Kogon, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

PH – 14-122

EXHIBIT A



\\MIAMIDADE\NAS1\PZ\PLANNING\GOMMPLAN2\0000-ORDINANCES\MODEL CITY CUC DISTRICT\2014 UPDATE\Z2014000122 BOUNDARY.MXD

29.05.2015

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date 10/30 Agenda Item # 5T

Subject: Liberty Square

Name: Danielle L Campbell

Address: 6180 NW 12th place

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:____ No: ✓

If yes, please list name: _____
Organization / Firm / Client

Have your registered with the Clerk of the Board? Yes :____ No: ✓

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date _____ BCC Mtg. Date 6/30 Agenda Item # _____

Subject: _____

_____

Name: _____

Address: _____

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:_____

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6.30.15 BCC Mtg. Date 6/30 Agenda Item # 5T

Subject: Model City

Name: Vernal Rolle

Address: 1150 NW 51 Terr

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: ✓ No:_____

If yes, please list name: Attachable Line / /

Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No: ✓

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date 6/30 Agenda Item # 5T

Subject: LIBERTY CITY RISING TRUST

Name: DEMETRIUS WINTON

Address: 20623 NW 13 AVE. MIAMI GARDENS FL. 33169

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: X

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/2015 BCC Mtg. Date 6/30 Agenda Item # 5T

Subject: Ti Model city Clibenty Square

Name: Emmanuel George

Address: 17 NE 2nd ave apt #106

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:_____

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date 6/30 Agenda Item # 5T

Subject: Model City (Liberty Square)

Name: James Mungin II

Address: 1860 NW 86th Terrace

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:✓

If yes, please list name: _____ / _____ / _____

Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No: ✓

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date 6/30 Agenda Item # 5T

Subject: Model City (Liberty Square)

Name: Daniel Agrey

Address: 280 NW 42nd Miami FL 33127

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:_____

If yes, please list name: Individual / / /

Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No: ✓

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date BCC Agenda Item # 1T

Subject: Economic Resource (Community Inclusion) Model City

Name: Valencia Gurdet

Address: 20651 NW 17th Ave Miami Gardens, FL

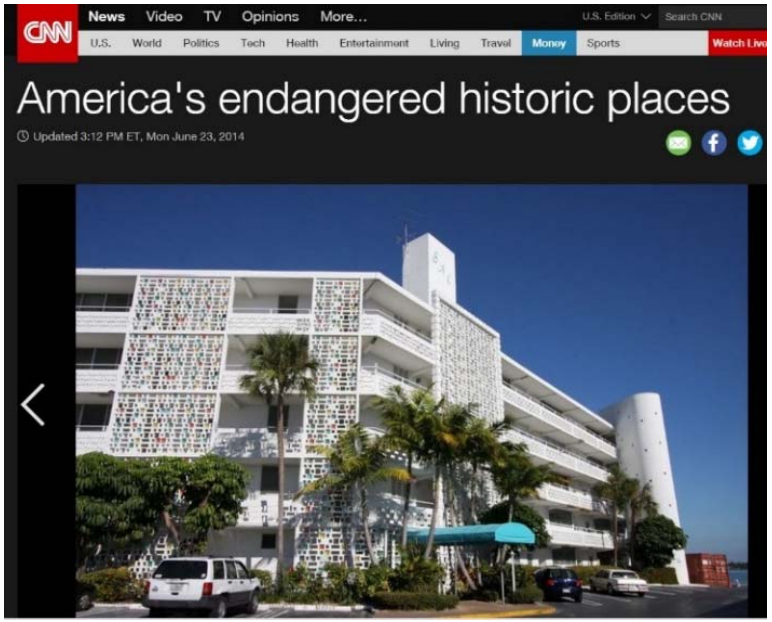
Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No:✓

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:✓





Bay Harbor Continental

Bay Harbor Islands, Florida



Bay Harbor Continental

Is Best known for the decorative masonry block panels, patterned with color glass block. Many historians think this is one of the most spectacular Brise Soliels in MiMo architecture. Simple yet elegant, playful and completely unique.

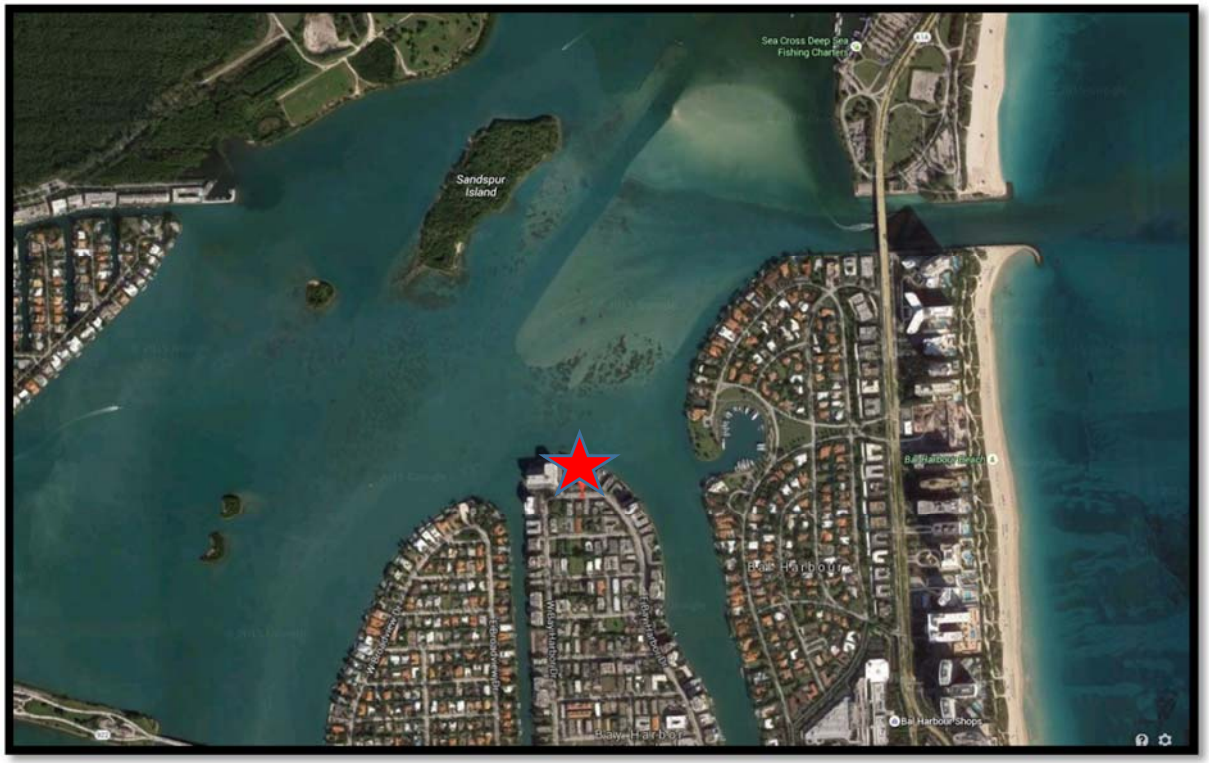
A Brise Soliels is a shading device intergraded into the building structure. It is an open screen that provides privacy, filters the sunlight yet still allows the ocean breeze through, making it an essential component of tropical modern MiMo architecture.







17 years after the word MiMo was coined in Bay Harbor Islands, finally in 2015, the town has it's first historic MiMo building.





BREATH TAKING VIEWS OF BISCAYNE BAY



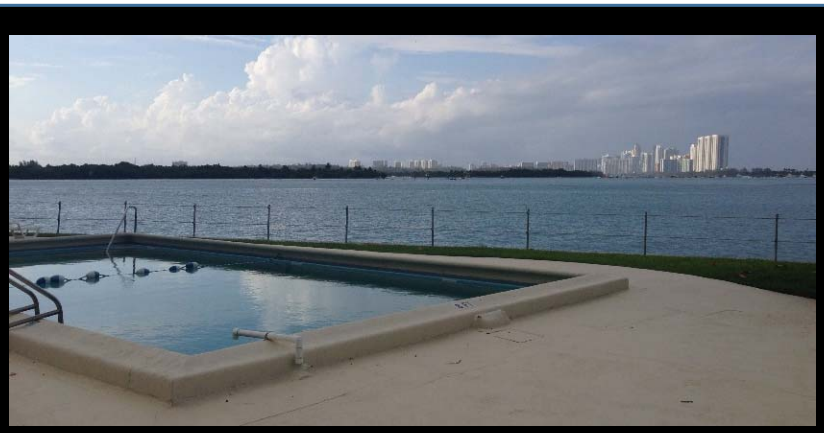
Bay Harbor Continental

Large private balconies, with your own waterfront park right outside your door. Truly Unique and very Miami.















RM3-ZONING DISTRICT

NORTH & SOUTH TIPS OF THE ISLAND

Only 5 properties (3 North – 2 South)



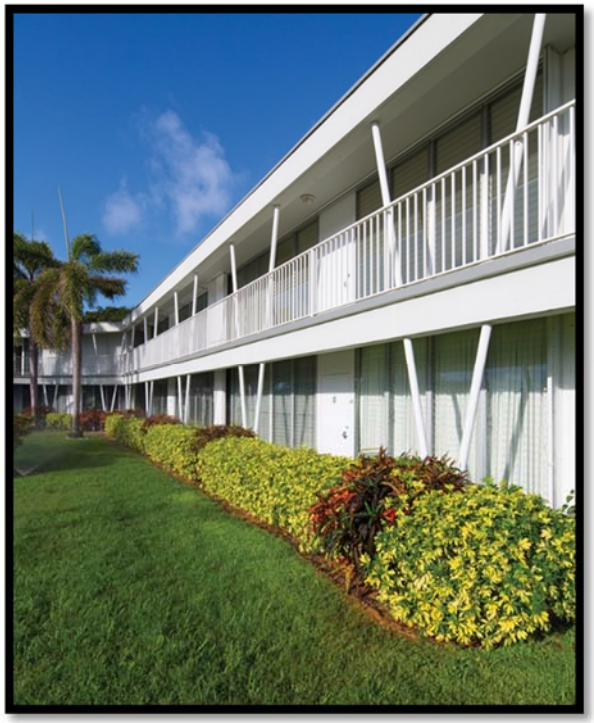
Designed to be the **Diva's of Bay Harbor Islands,** with significantly larger lots, grander setbacks, and expansive lush park like green lawns these buildings beautifully embrace some of the most spectacular views of Biscayne Bay. These special properties were showpieces saved for the most prominent architects of the time.

These two building represent how the Founder of the island, Shepard Broad worked closely with the architects to position the structures so they shared open space to create broad views and tropical modern gardens style apartments, resulting in a mid-century island paradise.













Charles McKirahan,

Bay Harbor Club

Adjacent to BH Continental

Home of the TV character Dexter

With over 5 million facebook followers now people all over the world look at this architecture to represent Miami.

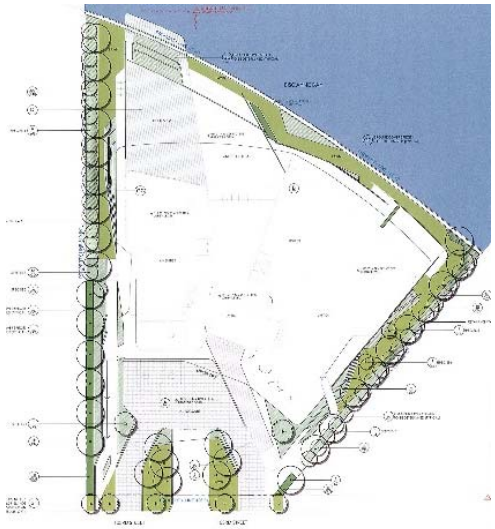


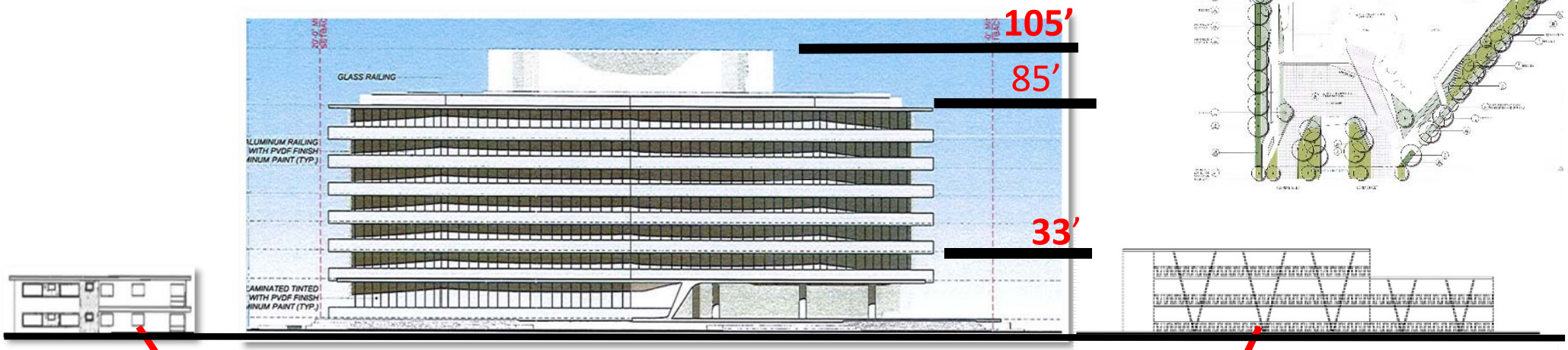
CONTEXT PHOTOS AND ELEVATIONS

This was the developer's proposal as a historic building. To demolished the entire building and build all new.

Surrounding the site is 2-3 Story building with Studios, 1 & 2 Bedrooms.

Green = open green space





Dexter Building
2-3 Stories







Draft Report

Historical Structure Survey
Town of Bay Harbor Islands
Miami-Dade County, Florida

gai consultants
transforming ideas into reality

July 19, 2006

Prepared for:
Town of Bay Harbor Islands
Bay Harbor Islands, Miami-Dade County, Florida

Prepared By:
Jared N. Tuk, M.A., Lead Architectural Historian
GAI Consultants, Inc.

GAI Project Number:
C060199.10

Since no comprehensive or site-specific surveys had been conducted for the Town's pre-1957 resources, GAI understood that all resources identified in the 2006 survey would not have been previously recorded in the FMSF. A brief review of the existing conditions within Town limits indicated that the East Island, which contains multi-unit residential, commercial, educational, and governmental buildings, is currently experiencing increasing development pressures and is losing some of its pre-1957 buildings. The West Island, which contains single-family residential buildings, does not have the same pressures for redevelopment as found on the East Island. However, a number of resources on the West Island have been altered or modified to varying degrees to reflect changing architectural styles. The ongoing loss of resources to modern development on the East Island, coupled with unsympathetic alterations and additions throughout the Town, led GAI to expect a number of negative impacts to architectural resources. Based on the nature of development and the socio-economic conditions within the Town, GAI expected to primarily find local (and sometimes modernist) vernacular variants of post-World War II architectural styles popular in south Florida during the late 1940s and 1950s.

- Consider funding for a National Register of Historic Places nomination for the aforementioned Bay Harbor Islands Historic District. The Town should be sure to involve property owners, local neighborhood preservation groups, and planning professionals during the nomination process. This should include an educational component, as many individual property owners in the survey area are not aware of the benefits afforded to them if their property is NRHP listed.
- Consider creation of a local historic preservation ordinance for the Town of Bay Harbor Islands to establish regulatory guidelines for development activities as they relate to historic resources. Since local ordinances would be community enacted and enforced, they can be developed by the Town Council to address the specific preservation needs of the town. These ordinances would also provide for a public process for evaluating a threatened resource or group of resources and developing an appropriate planning strategy to achieve the goals of planners and preservation groups. A local historic preservation ordinance would allow the Town to create a historic preservation commission, establish local historic districts and landmarks, review rehabilitation projects, and approve, delay, or deny proposed demolition permits as appropriate.
- Subsequent to establishing a local historic preservation ordinance, the Town should consider applying for status as a Certified Local Government (CLG), which allows for additional grant funding to conduct historic preservation-related activities and studies. This would assist the Town in furthering its goal of managing its historic resources.
- Consider pursuit of local and/or NRHP designation for the aforementioned MiMo Multiple Resource Group. As with a potential Bay Harbor Islands Historic District NRHP nomination, the Town should work with local property owners to educate them about benefits of designation and to eliminate misconceptions about linkages between local designation and/or NRHP listing and covenants or landowner restrictions.
- By 2010, the Town should consider funding a comprehensive professional survey update of historical and architectural resources in Bay Harbor Islands. The 2006 *Historical Structure Survey* completed identification of resources constructed in 1956 or before. Particularly on the East Island, a number of resources date from the late 1950s and were excluded from this survey. These resources, including a number of well-preserved and excellent examples of MiMo architecture, should be identified and formally evaluated in a subsequent survey.

MiMo Multiple Resource Group. While not a historic district per se, the collection of resources throughout the town related to the well-known and popular MiMo architectural style should be considered for local and NRHP listing as a Multiple Resource Group with significance in the area of architecture. Furthermore, if pursued, the NRHP nomination should also include resources located outside the corporate limits of Bay Harbor Islands. The initial nomination should encompass the most significant or prominent works of the style and should include the works of its most famous practitioners, including Henry Hohauser, Norman M. Gilier, and Morris Lapidus, among others. However, this list should be reevaluated and expanded upon as necessary to include the group of institutional, educational, and residential resources that most closely embody the characteristics of the movement, followed later by

8.3 Historic Districts in the Bay Harbor Islands Survey Area

GAI evaluated the surveyed historical and architectural resources in the Bay Harbor Islands project area as contributing resources in a potential historic district(s) 1) eligible for listing in the NRHP and/or 2) eligible for potential future designation as a Bay Harbor Islands Historic District. A brief discussion of historic districts follows. Establishing preliminary boundaries followed guidelines as outlined in *National Register Bulletin 21* and took into consideration such factors as distribution of historic resources; natural boundaries such as waterways; man-made boundaries such as streets and roads; and most importantly, the ability of a district to convey the feeling of a coherent historic area, undiluted by the intrusion of significant numbers of modern buildings or features.

Bay Harbor Islands Historic District. The potential Bay Harbor Islands Historic District is bounded by Indian Creek on the east, Biscayne Bay and North Miami on the west, Indian Creek Lake on the south, and Biscayne Bay on the north, and would consist of the entirety of the corporate limits of the Town of Bay Harbor Islands. The potential Bay Harbor Islands Historic District consists of a variety of contributing historic residential and commercial resources built from 1947 through the 1960s, including primarily Masonry Vernacular and MiMo-influenced buildings, but also incorporating a handful of other representative styles, including Ranch and Mediterranean Revival, among others.

The potential Bay Harbor Islands Historic District is significant under Criterion A for its association with post-World War II development in the Miami area, particularly to accommodate the burgeoning veteran population that settled in south Florida to enjoy the resort culture that grew as a response to the World War II years. The potential Bay Harbor Islands Historic District also is significant under Criterion C for its

- In conjunction with considerations for establishment of a local historic preservation program, the Town should consider promoting a historic marker program to clearly identify historic landmarks from the road. This will boost community pride in local historic properties and will encourage residents to preserve and maintain historic properties. While this activity is usually most effective in communities much older than Bay Harbor Islands (usually dating from the late 19th and early 20th centuries), the Town should consider its applicability for a post-World War II community.
- Because public education should be a continuing goal of historic preservation in Bay Harbor Islands, the Town should consider making this report available for public inspection on-line from the Town's web site. This website could also incorporate the results of GAI's GIS mapping, to assist property owners and researchers in identifying locations of surveyed resources.

The state required a historic structure survey in 2006, it concluded, the town do an in depth study in 2010 with architects when most of the island was 50 years old, they felt at the time it was worthy of both local and national designation, and should start to educate property owners of the benefits of designation and the town should implement economic benefits program to promote historic designation and community pride.

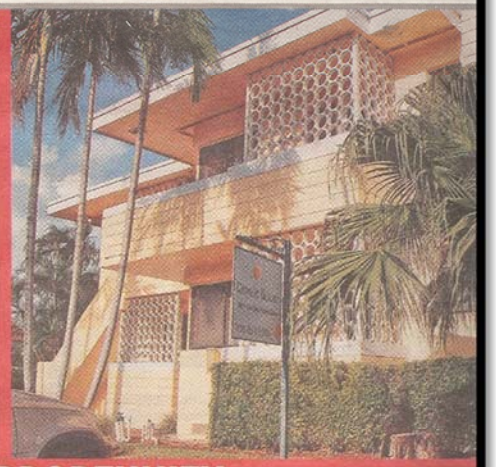
2006, Mayor used town newspaper to discredit any designation, 2010 the town hired an attorney to fight two against two private properties the best structures for designation. 2014 blamed the county and local preservationist of presenting false information to get on the National Trust for Historic Preservation 11 Most Endangered List.
Town Council member advocated for "opting out" and "owner consent" at the county to circumvent any preservation. They loss unanimously. False accusations with county staff and local preservationist with no proof. June 2015, approved a resolution to fight a petition of property owners for designation after designation for an county commission appeal. The town will do anything to make sure history is not preserved or that county have anything to do with town policy, using "home town rule" as the scapegoat.

AMI BEACH | BAL HARBOUR | BAY HARBOR ISLANDS | SURFSIDE | NORTH BAY VILLAGE | FISHER

NEIGHBORS

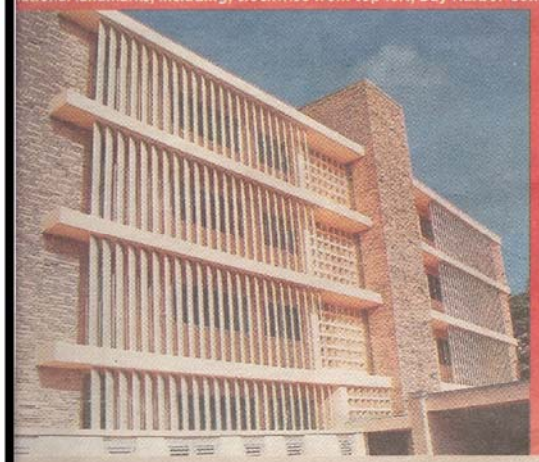
Y, AUGUST 13, 2006 | EDITOR: JIM MURPHY | 305-376-2036 | MiamiHerald.com MB14 The Mian

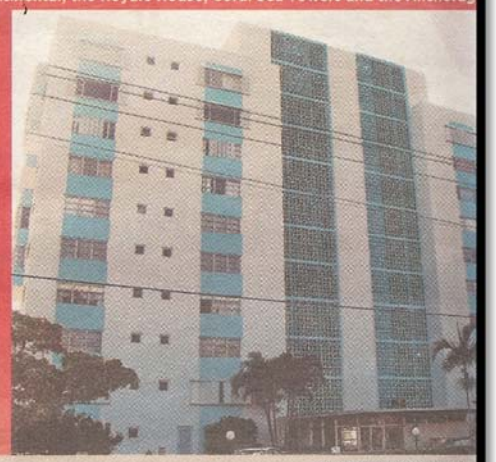




HISTORIC OPPORTUNITY

n Bay Harbor Islands, where the MiMo term was coined, a recent survey of structures 50 years or older has yielded dozens of possible ational landmarks, including, clockwise from top left, Bay Harbor Continental, the Royale House, Coral Sea Towers and the Anchorag





PHOTOS BY ANGELO SEMERARO / FO

MI BEACH

by the owners of the Ritz Plaza hotel to a beachside addition to its property on

SURFSIDE

Hundreds show up to sprawl on the sand and enjoy the Bard's plays during the tourist

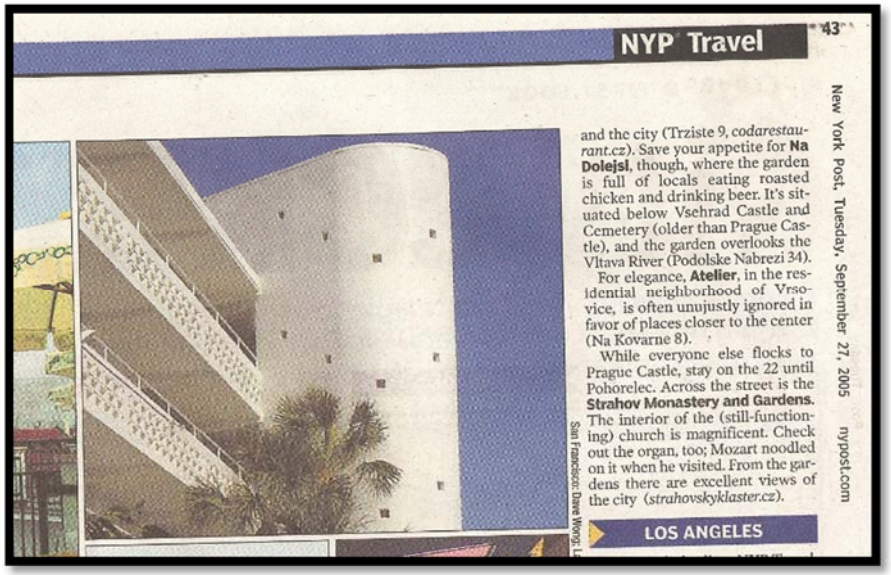
EDUCATION

See what's happening at your scho

POLICE REPORT, 10

Miami Herald Neighbors, August 2006

New York Post, Sept, 2006



NYP Travel 43

San Francisco: Dave Wong; L

and the city (Trziste 9, *codarestaurant.cz*). Save your appetite for **Na Dolejsi**, though, where the garden is full of locals eating roasted chicken and drinking beer. It's situated below Vsehrad Castle and Cemetery (older than Prague Castle), and the garden overlooks the Vltava River (Podolske Nabrezi 34).

For elegance, **Atelier**, in the residential neighborhood of Vrsovice, is often unujustly ignored in favor of places closer to the center (Na Kovarne 8).

While everyone else flocks to Prague Castle, stay on the 22 until Pohorelec. Across the street is the **Strahov Monastery and Gardens.** The interior of the (still-functioning) church is magnificent. Check out the organ, too; Mozart noodled on it when he visited. From the gardens there are excellent views of the city (*strahovskyklaster.cz*).

LOS ANGELES

New York Post, Tuesday, September 27, 2005 nypost.com

BAY HARBOR ISLANDS

Survey cites MiMo treasures eligible for landmark status

• LANDMARKS, FROM 3

Broad's 1955 waterfront house at 9405 East Broadview Dr. But 14 homes are cited as locally significant due to their MiMo traits.

In 1946 Broad, a prominent New York lawyer, ordered two mangrove swamp islands in Biscayne Bay to be dredged and poured with fill to create what is now Bay Harbor Islands. The town was incorporated in April 1947 with Broad as mayor; just months later, the first building permit was applied for.

The Broad Causeway, to connect the West Island to the Miami mainland, was completed in 1951.

Town Planner Michael Miller said he is elated to finally have the survey on hand as he works on the town's comprehensive plan.

"I've been eagerly awaiting this," Miller said. "I really haven't had a good resource until now."

Miller said a next step may be to create a historic board and explore preservation options.

Back under the low afternoon sun in front of Bay Harbor Club, Robinson said he hopes the survey will allow officials and residents in the town to "realize what they have here."

"Preservation isn't a goal — it's a never-ending process," he said. "If one [building] gets knocked down, you leverage that loss into the preservation that remains."

D'Amico nodded in agreement. "People will start to say, 'what's going on?' " she said.

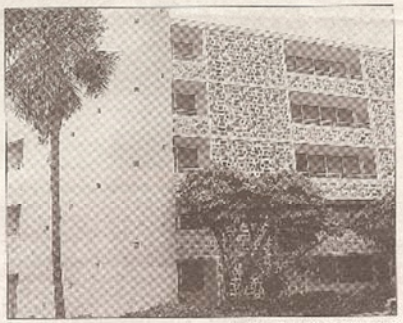
Robinson said that at one time, Palm Springs and Miami Beach were not recognized as the significant "treasure troves" of architecture that they are today.

"Just to stand in one place and see six buildings that are all MiMo," said D'Amico, waving her hand around her to encompass the entire East Island, "is unique."

"There's no place like this," Robinson chimed in.

A resident wanders outside to inspect the of his build resident Geo happily expl drawn to the design and front view.

"I just love scanning ov "It's beautifu



ANGELO SEMERARO/FOR THE MIAMI HERALD

A COLORFUL GLASS GEM: Too new to be surveyed, Bay Harbor Continental, 1135 103rd St., Bay Harbor Islands, is among dozens of MiMo buildings in the town.

SMART BOX

DESIGNATING A NATIONAL LANDMARK

Five Bay Harbor Islands properties are note eligible for nomination into the National Reg Historic Places, which provides incentives to historic structures. They are:

- Bay Harbor Club, 1155 103rd St.
- Bay Harbor Towers, 10141-43 East Bay Ha
- Coral Sea Towers, 10300 West Bay Harbo
- Citgo station, 1501 Broad Causeway.
- Town founder Shepard Broad's 1955 wate at 9405 East Broadview Dr.

According to the register, criteria for inclusi

- The quality of significance in American hi architecture, archaeology, engineering, and present in districts, sites, buildings, structur objects that possess integrity of location, de materials, workmanship, feeling, and associa
- A. That are associated with events that h significant contribution to the broad patter history; or
- B. That are associated with the lives of pe significant in our past; or
- C. That embody the distinctive character type, period, or method of construction, or the work of a master, or that possess high a or that represent a significant and distingui whose components may lack individual dist
- D. That have yielded, or may be likely to information important in prehistory or histo

Miami Herald, 2006



ALEXIA FODERE/FOR THE MIAMI HERALD

SPELLING IT OUT: MiMo activists share their opinion Thursday on Bay Harbor Islands.

August 2006, After Historic Survey was published residents demonstrate to the town council they wanted to save MiMo in BHI.

November 2014,

Residents in BHI at town council meeting begging them to listen to residents and NOT developers.







The results of the Meeting.

MIAMI BEACH

Bay Harbor council changes rules to allow slightly larger condos

about 7 months ago

Miami Herald, Nov 11, 2014





June 2015,

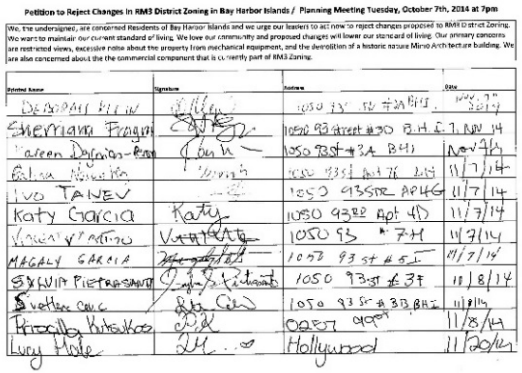
The Continental is the only historic structure on the island.

Today, our town council is supporting developers to demolish it, along with 40 other Buildings.

Nov 10th Bay Harbor Town Council Meeting a petition with the signatures Approx. 300 Residents was submitted to stop changing zoning for developers And to stop the demolition of Historic MiMo Buildings.

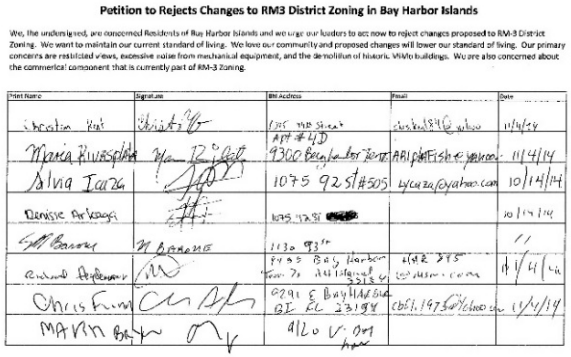
Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of historic MiMo buildings. We are also concerned about the commerical component that is currently part of RM-3 Zoning.


Petition to Reject Changes in RM3 District Zoning in Bay Harbor Islands / Planning Meeting Tuesday, October 7th, 2014 at 7pm

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of a historic nature MiMo Architecture building. We are also concerned about the the commercial component that is currently part of RM3 Zoning.

Printed Name	Signature	Address	Date
DEBORAH KLEIN		1050 93 ST #2 BHI	NOV. 3rd 2014
SHERYANN PRAGAI		10250 93 Street #30 B.H.I. FL 33154	NOV 14
Kareem Defenbaugh		1050 93rd St #2A BHI	Nov 7th
Edna Newton		1050 93rd St Apt 2E BHI	11/7/14
IVO TANEV		1050 93STR APT 4G	11/7/14
Katy Garcia	Katy	10350 93rd Apt 4D	11/7/14
[illegible]		1050 93 St #4H	11/7/14
MAGALY GARCIA		1057 93 st #5E	11/7/14
SYLVIA PIETRASANTA		1050 93rd St #3F	11/8/14
Heather Cave		1050 93 ST #3B BHI	11/8/14
Priscilla Kotsakos		0257 90th	11/8/14
Lucy Hale		Hollywood	11/20/14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Print Name	Signature	BH Address	Email	Date
Liberation Kat		1375 96th Street		11/4/14
Maria Rivasplata		9300 Bay Harbor Terr Apt #4D	ARIpleFish@yahoo.com	11/4/14
Silvia Iarza		1075 92 st #505	Iarza@bayharbor.com	10/14/14
Denisse Arteaga		1075 92nd St [redacted]		10/14/14
Gil Barrios	M Barrios	1130 93rd		11
Richard Hoffmann		9145 Bay Harbor Terr #4 33154	6182 375 [illegible].com	11/4/14
Chris Fuma		9291 E Bay Harbor Dr BH FL 33154	cbfl.1975@[illegible]	11/4/14
MARIA Bay		9120 V. Dr		

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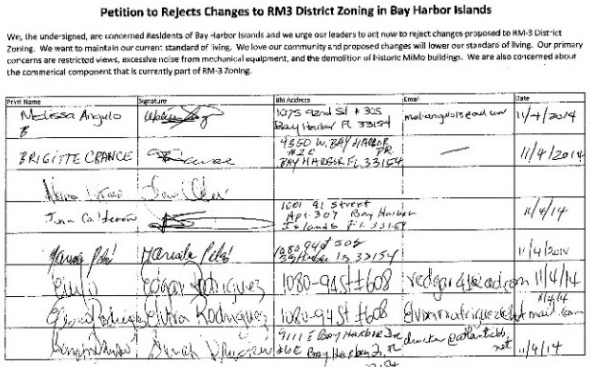
Print Name	Signature	BH Address	Email	Date
Tommy Romano		1201 91 St. St. Bay Harbor Islands		11/4/14
Richard Turner		9401 W. Bay Harbor Drive		11/4/14
Dulce Terreno		POBOX 613361 Miami, FL 33261		11/4/14
[illegible] Williams		9300 Bay Harbor Terr Bay Harbor, FL		11/4/14
[illegible] Smith	Vi KIMMEL	9401 W. Bay HARBOR Dr.		10/21/2014
John Vickers		1050 93rd Street Bay Harbor		11/4/2014
Norma Moreno		1020 99th St Miami, FL 33154	[illegible]@hotmail.com	11/4/2014
BAY HARBOR		10350 Bay Harbor Drive		11/4/14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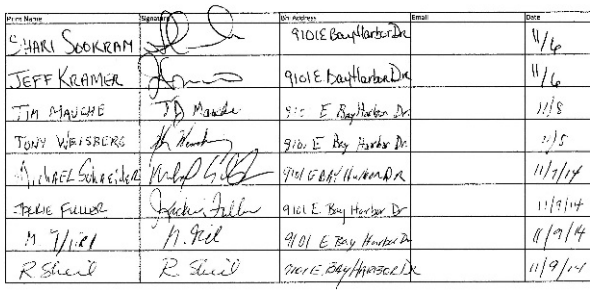
Print Name	Signature	BH Address	Email	Date
Melissa Angulo		1075 92nd St #305 Bay Harbor FL 33154	melangulo@aol.com	11/4/2014
BRIGITTE CRANCE		9350 W BAY HARBOR DR #2C BAY HARBOR FL 33154		11/4/2014
[illegible]				
Jan Calderon		1001 91 Street Apt 307 Bay Harbor Islands FL 33154		11/4/14
[illegible]	Mariela Peki	1280 94th St Bay Harbor Is 33154		11/4/2014
[illegible]	[illegible]	1080-94 St #608	redagi4@aol.com	11/4/14
[illegible]	[illegible]	1080-94 St #608	@[illegible].net	11/4/14
[illegible]	[illegible]	9111 E Bay Harbor Dr #6E Bay Harbor Is	[illegible]	11/4/14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Print Name	Signature	BH Address	Email	Date
CHARI SOOKRAM		9101 E Bay Harbor Dr		11/6
JEFF KRAMER		9101 E Bay Harbor Dr		11/6
JIM MAUCHE		9101 E Bay Harbor Dr		11/8
TONY WEISBERG		9101 E Bay Harbor Dr		11/5
Michael Schneider		9101 E Bay Harbor Dr		11/7/14
JULIE FULLER		9101 E. Bay Harbor Dr		11/9/14
M. Weil	M. Weil	9101 E Bay Harbor Dr		11/9/14
R Stiel	R. Stiel	9101 E Bay Harbor Dr		11/9/14

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Print Name	Signature	BH Address	Email	Date
SHERYL BERNHARDT		9101 E. BAY HARBOR DR BAY HARBOR FL 33154	sherbernhardt@comcast.com	11/8/14
Frank Kattenhacker		1075 92 St, Apt 404 Bay Harbor, FL	Frankkathy@yahoo.com	11/8/14
Marianne Teuscher		9101 E. Bay Harbor Dr #6E BHI FL 33154		11/8/14
Kreema Samuel		9401 E Bay Harbor Dr Island FL 33154	C Kreema 20533 @ gmail.com	11/8/14
JANICE RAVEN		9100 W Bay Harbor Dr BHI 33154 #6E	janiceraven@yahoo.com	11/8/14
[illegible]		9401 E Bay Harbor Dr #6E	[illegible]	
Cristina Livingston	Cristina Livingston	Bay Harbor Islands FL 33154	Livingstonc@yahoo.com	11/08/14
Marilyn Wallach		9101 Bay Harbor Dr #6E BHI FL		

The results of the Meeting.

MIAMI BEACH

Bay Harbor council changes rules to allow slightly larger condos

about 7 months ago

Miami Herald, Nov 11, 2014



Dear Miami Dade County Mayor and Commissioners:

I_____ disagree with the below statements made by the appellants expert witness's in their analysis of the Bay Harbor Continental, designed by renown architect, Charles McKirahan.

- "the building is not a significant example of MiMo architecture"
- "McKirahan was actually not a prominent architect"
- "the characteristics are quite superficial and not particularly distinguishable"
- "the detailing on the building is common and un-original"

I believe this building represents significant Mid Century / MiMo Architecture in Dade County and is one of the best examples of the style in Bay Harbor Islands.

Please uphold the Miami Dade County's Historic Preservation board's designation of the Bay Harbor Continental. To over turn the designation would be irreversible and a detrimental loss for MiMo architecture in Miami Dade County, and especially for Bay Harbor Islands.

Thank you for your time and consideration of this important matter.

Since the appellants expert witness Made their analysis of the building the following have signed this letter

5 Local Architects
3 Architectural Journalist
2 Author to Miami History Books
5 Museum Curating staff
15 Design professionals
10 Residents

Town of Bay Harbor Islands
9665 Bay Harbor Islands
(305) 993-1786

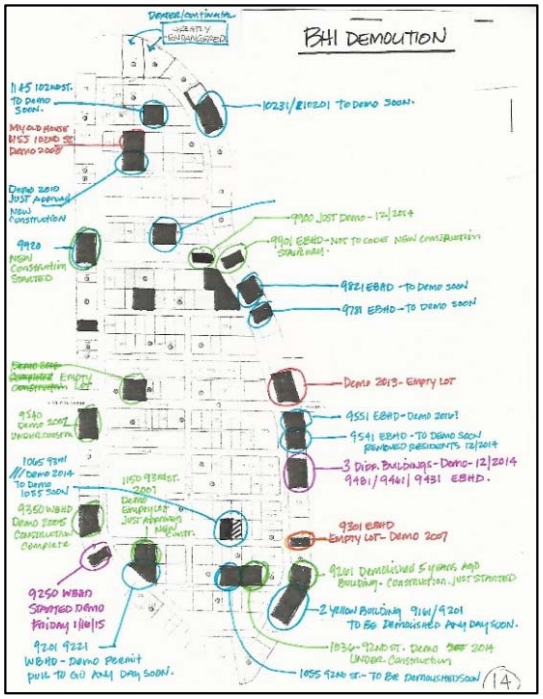
DEMOLITION OF STRUCTURE

Permit #	Lot/Block	Date Issued	Status	Address	Owner	Contractor
BP2014-285	4/1	10/2/2014	Approved	9521 EAST BAY HARBOR DRIVE	BH South Islands, LLC c/o Marc Schmulian	Charleville Development Corporation
BP2014-90	72 & 73/23	4/1/2014	Closed	9530 WEST BROADVIEW DRIVE	Alfonso and Mariane Karam	Ealing Construction, Inc.
BP2014-279	2/22	11/19/2014	Closed	1120-24 98 Street	Bay Harbor Loft c/o Gabriel Boano	Civic Construction Company, Inc
BP2014-401	13/26	11/14/2014	Closed	1311 100 Street	Bay Hill Capital Group, Inc	Jay Construction, Inc.
BP2014-395	8/1	11/7/2014	Closed	9431 EAST BAY HARBOR DRIVE	Royale Club Towers, LLC	Thunder Demolition Inc
BP2014-394	7/1	11/7/2014	Closed	9461 EAST BAY HARBOR DRIVE	Royale Club Towers, LLC	Thunder Demolition Inc
BP2014-365	33/23	10/24/2014	Closed	10340 WEST BROADVIEW DRIVE	Mitchell Eichen and Annette Samson-Eichen	Gapal Construction Inc
EP2014-21	/	12/12/2014	Approved	1700 Broad Causeway	Town of Bay Harbor Islands	Halley Engineering Contractors Inc
BP2014-286	3/1	10/2/2014	Approved	9541 EAST BAY HARBOR DRIVE	BH South Islands, LLC c/o Marc Schmulian	Charleville Development Corporation
BP2014-441	13/5	12/12/2014	Approved	1133-35 102 Street	Bayview 102 Realty	Max South Construction
BP2014-284	25-26/4	10/2/2014	Approved	9821 East Bay Harbor Dr.	BH 98, LLC	Charleville Development Corporation
BP2014-287	86 &e1/2 M/L of 85/23	9/5/2014	Closed	9414 WEST BROADVIEW DRIVE	Broadhouse Holdings LTD	Absolute Demolition Inc
BP2014-292	6-7/4	9/4/2014	Closed	10231 EAST BAY HARBOR DRIVE	Bay Harbor Holdings c/o Jessica Lee	Thunder Demolition Inc
BP2014-291	8/4	9/4/2014	Closed	10201 EAST BAY HARBOR DRIVE	Bay Harbor Holdings c/o Jessica Lee	Thunder Demolition Inc
BP2014-306	13/14	9/3/2014	Approved	1055 93 Street	BH 93, LLC	Emuna Construction, LLC
BP2014-256	4/35	7/29/2014	Closed	1350 98 Street	1350 BH LLC	Infinity Construction Corp
BP2014-77	62/23	5/15/2014	Closed	9740 WEST BROADVIEW DRIVE	Francis Moezinia	Gapal Construction Inc
BP2014-372	6/1	10/22/2014	Closed	9481 EAST BAY HARBOR DRIVE	Royale Club Towers, LLC	Thunder Demolition Inc

3/24/2015 1:47:18 PM rptcountbycode Page 1 of 2

Permit #	Lot/Block	Date Issued	Status	Address	Owner	Contractor.
BP2014-346	21-22/1	1/27/2015	Approved	9161 East Bay Harbor Dr.	Island Club Towers, LLC / Bay Island Club	Thunder Demolition Inc
BP2015-28	7/5	3/17/2015	Approved	10281 WEST BAY HARBOR DRIVE	SABA Group Inc	Thunder Demolition Inc
BP2015-53	15/7	3/16/2015	Approved	1145-47 100 Street	SABA Group	Demolition Masters Inc
BP2015-42	1/9	3/6/2015	Approved	9870-80 EAST BAY HARBOR DRIVE	Bay Harbor TH1 LLC	V & M Consulting Inc
BP2015-54	9/6	2/18/2015	Approved	1170-74 102 Street	Saman LLC	Thunder Demolition Inc
BP2014-359	TRACT/F	2/18/2015	Approved	1135 103 Street	Bay Harbor Continental Co-Op	Florida Demolition Inc
BP2015-48	25/3	2/17/2015	Approved	9760 WEST BAY HARBOR DRIVE	Sam Farhad & Jamie Jamilieh Sami	Thunder Demolition Inc
BP2014-230	20/8	11/21/2014	Approved	9900 EAST BAY HARBOR DRIVE	9900 Bay Harbour, LLC	Civic Construction Company, Inc
BP2015-33	7/17	2/4/2015	Approved	9201 West Bay Harbor Drive	9201 WBH LLC	E P LLC
BP2015-30	9/7	3/24/2015	Approved	1170-74 101 Street	Sal Abighanem & Nisreen Saab	Southern Coast Construction
BP2015-2	16/2	1/14/2015	Closed	9290 WEST BAY HARBOR DRIVE	Global Reach Investments, LLC	Civic Construction Company, Inc
BP2014-466	5/32	12/30/2014	Approved	1260 95 Street	VSD Investments	Construction King Design, Inc
BP2014-464	19-20/1	12/30/2014	Approved	9201 EAST BAY HARBOR DRIVE	Island Club Towers LLC	Thunder Demolition Inc
BP2014-296	42 & N 1/2 OF 43/23	12/30/2014	Approved	10200 WEST BROADVIEW DRIVE	Mark Tabacinic and Vanessa Bibliowicz	Authentic Const
BP2014-336	8/37	12/22/2014	Closed	1311 99 Street	Jeffrey and Cathy Weiss	Thunder Demolition Inc
BP2014-275	7/17	12/18/2014	Approved	9201 West Bay Harbor Drive	9201 WBH LLC	E P LLC
BP2014-275	7/17	12/18/2014	Approved	9201 West Bay Harbor Drive	9201 WBH LLC	Pinnacle Construction Group
BP2015-49	6/5	2/17/2015	Approved	1170 103 Street	SABA Group Inc	Thunder Demolition Inc

- Bay Harbor Islands has issued 36 Demolition Permits with 18 months.
- The town does not require a building permit in place prior to demolition.
- We are losing an average of 1 building every two weeks.
- The town council and staff are scaring residents with false information on the intentions of the historic preservation department and the process.
- Town is encouraging demolition, by approving demolition up to 10pm on the weekends.



TOWN OF BAY HARBOR ISLANDS
9665 BAY HARBOR TERRACE
BAY HARBOR ISLANDS, FL 33154
305-993-1786

Building Permit
Permit Number: BP2014-359 **Master Perm**
Date Issued: 2/18/2015
Expiration Date: 7/18/2015

Applicant
Name: Florida Demolition Inc
Address: 245 Southeast 1 Street
Miami, FL 33131

Project Description:
Demolition on Structure

Parcel
Parcel Number: 13-2227-026-0001
Address: 1135 103 Street
Lot(s): TRACT **Block:**

Owners
Name: Bay Harbor Continental Co-Op
Address: 1135 - 103 Street
Bay Harbor Islands, FL 33154

Dear Larry,

We respectfully request you to kindly issue the demolition permit for the Property with our assurance that we will not commence any demolition until the electrical supply is fully disconnected and we provide you with the requisite letter from FP&L.

We will provide any written confirmations that you may need to obligate ourselves from commencing any demolition until electrical supply and other utilities to the building have been disconnected.

Thank you.

Sincerely,

Gaurav Butani

P3 Investments 1 LLC
1101 Brickell Avenue South Tower
8th Floor
Miami, FL 33154

FEB 18, 2015

Town Manager Approved P3's demolition Permit, even though they do not own the building.









The town's East Island was listed on the National Trust for Historic Preservation's 2014 "11 Most Endangered Historic Sites in America," due to the town's inability to preserve one of the nation's foremost collections of Modernist architecture to make way for out of scale insensitive development.











BREAKING NEWS

Prison worker Joyce Mitchell provided hacksaw blades to murderers who escaped, two law enforcement sources say.

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America's most endangered historic places

By Caitlin Schmidt, Special to CNN

Updated 3:39 PM ET, Mon June 23, 2014



America's 11 most endangered historic places 11 photos

Bay Harbor's East Island, Florida – Bay Harbor's East Island in Miami, Florida, features a collection of Miami Modern buildings, a style of architecture popular from 1945 until the mid 1960s. Development proposals threaten the area with demolition.

More from CNN



Opinion: Women were 'examined like cattle'



Meet the U.S. women's soccer team



Why are we really interested in Caitlyn Jenner?



Driver describes lion attack that killed an American tourist



Chinese Yangtze cruise ship: Rescuers cut into hull



Caitlyn Jenner cover made some people uncomfortable?

As of Feb 2014, the town had 25 building listed to be demolished to make way for new development.

National Trust *for* Historic Preservation
Save the past. Enrich the future.

National Trust *for* Historic Preservation
Save the past. Enrich the future.

April 14, 2015

Miami-Dade County Historic Preservation Board
C/o Kathleen Kauffman, Chief Preservation Officer
111 NW 1st Street, 12th Floor
Miami, Florida 33128

Dear Members of the Miami-Dade County Historic Preservation Board:

As you know, last year The National Trust for Historic Preservation listed Bay Harbor's East Island as one of the 11 Most Endangered Historic Places in America. East Island is endangered by redevelopment as large-scale construction threatens to take the place of the smaller scale mid-century modern buildings.

These buildings represent the work of many of the most prominent modern architects such as Charles McKirahan and Morris Lapidus. They make for a cohesive whole, a tribute to the Miami Mid-Century Modern (MIMO) style.

As National Trust president, Stephanie Meeks, said, when the listing was announced, "As one of the nation's foremost collections of Modernist architecture, Bay Harbor's East Island represents a significant piece of America's unique architectural history. The island's historic buildings were thoughtfully and creatively adapted to South Florida's tropical environment. We must urge developers and the city to not subject these uniquely designed mid-century modern structures to the wrecking ball."

You are in a position to begin the process of saving the remaining significant structures on East Island. As the Bay Harbor Continental and the Bay Harbor club are threatened with redevelopment, I urge you to grant Historic Site Designation to both. Bay Harbor's East Island is an architectural gem, showcasing a style unique to Miami, MIMO. If the buildings on the island are not protected Bay Harbor's East Island is in danger of becoming just another group of condos with good views.

Thank you for your consideration.

Sincerely,

John B. Hildreth

John Hildreth
Vice President for Eastern Field Services

Eastern Field Services, William Aiken House, 456 King Street, 3rd Floor Charleston SC 29403
info@savingplaces.org p 843.722.8552 f 843.722.8652 www.PreservationNation.org

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Miami Herald

SUNDAY, JULY 13, 2014 | $2.00 | FINAL EDITION | MIAMIHERALD.COM

ARCHITECTURE

ENDANGERED MIMO

The nation's leading preservation Modern buildings in Bay Harbor Islands on its list of most endangered historic places.

BY ANDRES VIGLUCCI
aviglucci@MiamiHerald.com

When lawyer and developer Shepard Broad created the town of Bay Harbor Islands 60 years ago from two mangrove clumps in the middle of Biscayne Bay, he recruited an all-star crew of local architects for a bold undertaking.

Over a dozen years, they forged a showcase of modern architecture with a decidedly subtropical twist on the town's East Island — a cohesive collection of dozens of breezy duplexes, garden apartments and bigger co-op buildings regarded today as one of the most significant surviving troves of Miami Modern, or MiMo, design.

It may also be the most imperiled.

Because of a surge of upscale condo development and a town leadership that preservationists contend is indifferent, if not hostile, to the idea of saving any of it, Bay Harbor's East Island has landed on the National Trust for Historic Preservation's list of America's 11 Most Endangered Historic

• TURN TO MIMO, 16A

PHOTOS BY TERI DAMICO

DEFINING VALUE: Preservationist Kathleen Kauffman says the area's value resides as much in the whole as in the design of individual buildings, overall architectural consistency, and the careful mix of small and larger buildings.

AFFORDABLE CARE ACT

Some doctors rejecting exchange plans

Consumers who bought private health plans through the Affordable Care Act's exchange are finding that some doctors refuse to honor coverage purchased through the government-run marketplace.

BY DANIEL CHANG
dchang@MiamiHerald.com

After being without health insurance for two years, Miranda Childe of Hallandale Beach found a plan she could afford with financial aid from the government using the Affordable Care Act's exchange.

Childe, 60, bought an HMO plan from Humana, one of the nation's largest health insurance companies, and received a membership card in time for her coverage to kick in on May 1.

But instead of being able to pick a primary care physician to coordinate her healthcare, Childe says she repeatedly ran into closed doors from South Florida doctors who are listed in her plan's provider network but refused to see patients who

"I just felt that I wasn't being treated li a first-class citizen," said Childe, who eve

• TURN TO OBAMACARE, 2A

LEBRON JAMES

Feeling gratitude after 4 great years

The letter in Sports Illustrated was super sweet. Had a writer's touch. Really nice. Perfect, really. So perfect. Too perfect, if you are cynical and embittered and hurt.

And the fairy-tale story itself might even be somehow better than that. Conquering hero returns home, to rebuild the shattered place. It was all spun so well that even the Cleveland people who were burning his jersey and urinating on cakes of his face in public restrooms developed the inconsistent amnesia necessary to overlook the conquering hero's hand in shattering the place he now returns to rebuild. Such a thin line in sports between Thank You and F--- You.

IN MY OPINION
Dan Le Batard

The American sports fan can applaud this move because anyone understands a pull to go back to your roots and your love and your home. Forgiveness and redemption are warm. The American

• TURN TO LE BATARD, 2A

Heat plans for a future without James, 1D

TECHNOLOGY AND INNOVATION

Ecuador bets $1 billion on City of Knowledge

Ecuador is building a research university and city in the middle of a remote pasture. Can it succeed where others have failed?

BY JIM WYSS
jwyss@MiamiHerald.com

UCURQUI, Ecuador — It's the year 2043, and this burgeoning city of 100,000 is a high-tech mecca. Using rare plants from the Amazon, university researchers have cured many diseases; factories churn out nano-sponges that soak up oil spills around the world; local software designers are the envy of Palo Alto. Ecuador — once known for its crude and bananas — is now the Silicon Valley of the tropics, the Singapore of the Andes.

That's the vision authorities see in the swirling dust kicked up by dozens of bulldozers and more than 2,000 construction workers at a remote site almost two hours from the capital.

It's called Yachay, the City of Knowledge, and President Rafael Correa refers to it as the country's Moon Shot — a $1.04 billion initiative to build a research university surrounded by labs, industrial parks and, ultimately, a city.

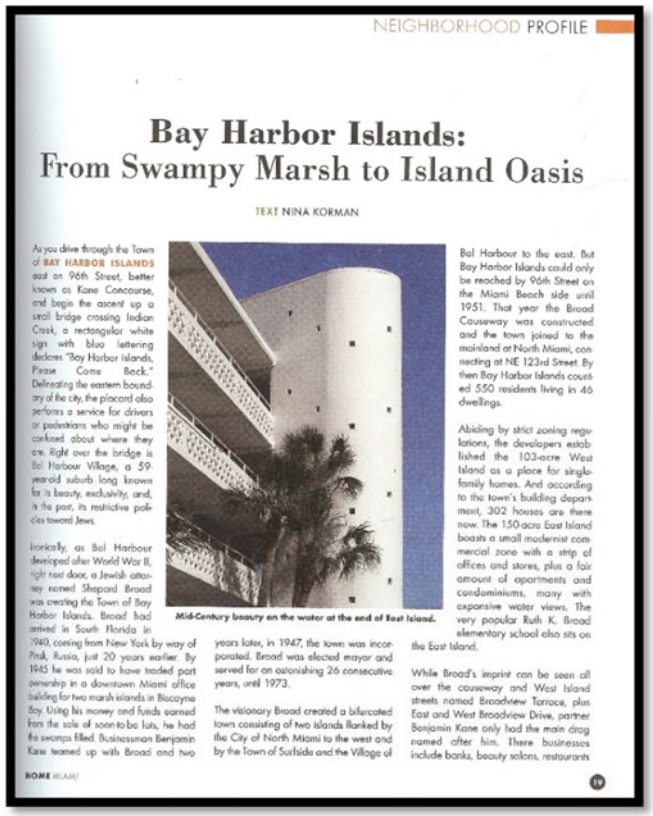
The project aims to attract the world's brightest minds and most innovative companies, propelling this small and impoverished South American nation into the 21st centu-

• TURN TO CITY, 17A

4 out of 8 building are McKirahan's on the cover of the Sunday Miami Herald.

Bay Harbor Continental and Bay Harbor Club are continually recognized as the best representation of the entire collection of Mid-Century Architecture.

When nominated for National Trust's 11 most endangered historic sites in America, many member of the National Trust had already been to Bay Harbor Islands and were devastated to learn 25 building were being demolished with our any consideration of their signsificance.



NEIGHBORHOOD PROFILE

Bay Harbor Islands: From Swampy Marsh to Island Oasis

TEXT NINA KORMAN

As you drive through the Town of **BAY HARBOR ISLANDS** east on 96th Street, better known as Kane Concourse, and begin the ascent up a small bridge crossing Indian Creek, a rectangular white sign with blue lettering declares "Bay Harbor Islands, Please Come Back." Delineating the eastern boundary of the city, the placard also performs a service for drivers or pedestrians who might be confused about where they are. Right over the bridge is Bal Harbour Village, a 59-year-old suburb long known for its beauty, exclusivity, and, in the past, its restrictive policies toward Jews.

Ironically, as Bal Harbour developed after World War II, right next door, a Jewish attorney named Shepard Broad was creating the Town of Bay Harbor Islands. Broad had arrived in South Florida in 1940, coming from New York by way of Pinsk, Russia, just 20 years earlier. By 1945 he was said to have traded part ownership in a downtown Miami office building for two marsh islands in Biscayne Bay. Using his money and funds earned from the sale of soon-to-be lots, he had the swamps filled. Businessman Benjamin Kane teamed up with Broad and two years later, in 1947, the town was incorporated. Broad was elected mayor and served for an astonishing 26 consecutive years, until 1973.

Mid-Century beauty on the water at the end of East Island.

The visionary Broad created a bifurcated town consisting of two islands flanked by the City of North Miami to the west and by the Town of Surfside and the Village of Bal Harbour to the east. But Bay Harbor Islands could only be reached by 96th Street on the Miami Beach side until 1951. That year the Broad Causeway was constructed and the town joined to the mainland at North Miami, connecting at NE 123rd Street. By then Bay Harbor Islands counted 550 residents living in 46 dwellings.

Abiding by strict zoning regulations, the developers established the 103-acre West Island as a place for single-family homes. And according to the town's building department, 302 houses are there now. The 150-acre East Island boasts a small modernist commercial zone with a strip of offices and stores, plus a fair amount of apartments and condominiums, many with expansive water views. The very popular Ruth K. Broad elementary school also sits on the East Island.

While Broad's imprint can be seen all over the causeway and West Island streets named Broadview Terrace, plus East and West Broadview Drive, partner Benjamin Kane only had the main drag named after him. There businesses include banks, beauty salons, restaurants



PUBLISHER'S NOTE

Taking a Bite of Our Rich, Delicious History

IN THE INTRODUCTION to an excellent new book, *Florida Modern*, the author Jan Hochstim makes a statement regarding the general public's perception of Florida architecture. Noting that most people are more familiar with the Spanish Mediterranean or Art Deco, he says, "Hardly anyone thinks of the fabulous and daring modern architecture that sprang up in Florida in the twenty-five years following the Second World War. Now that more than half a century has passed since the beginning of that creative period, it is essential to publicize the work and to raise concern for its architectural legacy. Too many excellent examples of modernism in Florida, like so many throughout the world, have been disappearing, or have been altered beyond recognition."

Mid-century marvels often included features such as screen block walls and decorative railings – elements that are imperative to restore, not replace – which took strict modernism on a tropical ride.

His perceptions are right on target as many buildings of this postwar era are often overlooked or seen in as a burden to developers looking to maximize the financial potential of a piece of land. But these buildings, representing an era of unbridled optimism... an era that would usher in the space age, are incredibly important. They represent an amazing leap of faith by an extremely talented set of architects into the brave new world of Modernism. Walter Gropius, Philip Johnson, Richard Neutra and numerous others began to build in clear, elegant and seductive ways, and their ideas spread to a forward thinking group from Florida. An entire era of daring new buildings by names like Polevitsky, Parker, McKirahan, Duckham and Weed burst forth from our sub-tropical topography.

As hard as historians, preservationists and just plain admirers work to save and restore the best of these structures, there always seems to be another group that just doesn't "get" this period of architecture and is eager to erase it from our cities.

Which brings us to the latest call to action. A museum exhibition of a portion of these endangered works entitled *Going, Going, Gone? Mid-Century Modern Architecture in South Florida* is opening July 8th at the Museum of Art | Fort Lauderdale. The exhibit will run until the entire museum closes to prepare for the blockbuster King Tut exhibit, due to open in December.

Going, Going, Gone provides the opportunity for viewers to see the wealth of Mid-Century Modern and MiMo architecture that runs from Miami all the way through Fort Lauderdale. Through the marvelous images of Robin Hill, Thomas DeBeck, Arthur Marcus and Dixi Castle, the exhibition is a fast and furious way to familiarize yourself with both textbook and exceptional examples from this region's sophisticated, often sometimes eccentric, take on Modernism. Take a look at our preview on pages 99 to 103. So pack a light lunch, jump in the convertible and head north. This is one exhibit that should not be missed.

JOHN O'CONNOR, PUBLISHER



PUBLISHER'S NOTE

Architect Charles McKirahan's Bay Harbor Continental, one of Miami's most beautiful MiMo buildings, is one of many structures unprotected on Bay Harbor Island's East Island.

The Bay Harbor Islands Are Sinking

A RECENT OUTCRY OVER the rampant demolition of Miami Modern (MiMo) buildings in Bay Harbor Islands has uncovered a town council with blinders on when it comes to protecting its often-outstanding Mid-Century Modern buildings.

Unaware of the architectural importance of structures by names like Hohauser, McKirahan and Polevitzky or just indifferent to the beauty that surrounds them, this town council has allowed dozens of structures to be quietly bulldozed, changing the character of these islands forever.

The East Island, home to many multi-unit co-ops, condominiums and garden courtyard apartments, is in immediate danger and needs historic designation now. Apparently, the town council is oblivious to Miami's unique position in American architectural history. They were asked on more than one occasion to inaugurate a local preservation board, a board which would have given them the clout, like Miami Beach, to make local decisions on designations or exclusions from designation. They chose not to form a board, and now the fate of Bay Harbor Islands rests not in their hands but in the hands of the Miami-Dade Office of Historic Preservation.

As for Bay Harbor Islands, it's as if we are seeing South Beach – circa 1976 – all over again. Historians, museum curators, and authors are beginning to take note of what has been called "one of the finest and most cohesive collections of Mid-Century Modernist multi-family residential and commercial architecture in the world." At the same time, some locals just see those wild, progressive, Post War buildings as "old and ugly." The same was thought of crumbling Art Deco buildings in South Beach in 1977, when very few of those structures were 50 years old.

The time to act on the designation of the East Island of Bay Harbor Islands is now. With the gleam of restored buildings standing alongside compatible new architecture all around the city, let's not allow Bay Harbor Islands to become the land that culture forgot.

Bay Harbor Continental is constantly featured in articles about Bay Harbor Islands.



AMI BEACH | BAL HARBOUR | BAY HARBOR ISLANDS | SURFSIDE | NORTH BAY VILLAGE | FISHER IS

NEIGHBORS

SDAY, MARCH 20, 2008 | EDITOR: GAIL EPSTEIN | 305-376-2036 | MiamiHerald.com/Neighbors

MB14 The Miami H

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MiMo MANIA

Girl Scouts Kira Feldman, right, and Hannah Imberman, both 13, led a walking tour Sunday highlighting Bay Harbor Islands' 1950s style of architecture known as Miami Modern, or MiMo. PAGE 3

PETER ANDREW BOSCH/ MIAMI HERALD STAFF



BAY HARBOR ISLANDS

FINDING MIMO

TWO GIRL SCOUT TEENS LEAD A WALKING TOUR HIGHLIGHTING THE TOWN'S 1950S STY
OF ARCHITECTURE, KNOWN AS MIAMI MODERN

BY LAZARO FRAGA
lfraga@MiamiHerald.com

It's not every day that you find a 13-year-old with expert knowledge of an architectural style.

But on Sunday two of them — Kira Feldman of Miami Beach and Hannah Imberman of Surfside — led walking tours through Bay Harbor Islands that showcased an architectural style called Miami Modern (MiMo).

The teens, members of Girl Scout Troop 802, escorted several hundred fellow Scouts and visitors past about a half dozen MiMo residential and commercial buildings on the east island.

The girls also have written a guide, *MiMo Mania*, that describes 18 examples of the style in the area.

"We've lived here our whole lives but never noticed it," Hannah said of the MiMo architecture.

Hannah and Kira created the tour for their Girl Scouts Silver Award project, which required them to learn about a career and make a contribution to their community.

The two spent about 100 hours each on the project. "We must have walked this [tour route] 20 times while working on it," Kira said.

"We had many sleepovers. It was stressful at times but still a lot of fun."

MiMo originated in the 1950s as a response to cold and minimalist post-war architecture.

Architects utilized certain elements — such as scored concrete, built-in planters, exterior catwalks, decorative railing and glass mosaic tiles — to jazz up their buildings.

"The buildings look very futuristic," Hannah said. "People describe the style as happy."

"My favorite building is the Bay Harbor Club," at 1155 103rd St., Kira said. "It's meant to look like a rocket ship," she said of the building's floating circular staircase.

The walking tour started at Ocean Cadillac, a MiMo building on the corner of the Kane Concourse and East Bay Harbor Drive.

The teens were enthusiastic about sharing their love and knowledge of MiMo. They said many don't recognize MiMo as its own style.

"They think it's part of Art Deco," Hannah said.

MiMo is known for is geometric shapes and as try, while Art Deco is and more symmetric said.

Bay Harbor Islan dent Teri D'Amico, a tectural historian wh coin the phrase Mian ern in 1999, also joi tour.

"Bay Harbor Isla the most significant [tration] of MiMo i County," she said. percent of the is MiMo."

D'Amico describ style as "whimsical." one of the best exa Bay Harbor Contin 1135 103rd St., which h ful mosaic tiles and tive railings.

"The style was because it was very sive," she said. "De loved it."

Also taking the t Nina Weber-Wort walked on the sa miles from South Be her husband and bro

"I'm learning quit she said.

Weber-Worth hea the tour from Dade Days, an annual ev celebrates and e county residents ab toric places.

MiMo fan Don Weber-Worth's husb impressed by the girl edge of the style.

"They know wha talking about," he sa

The walk attrac Harbor Islands Coun ber Isaac Salver, v enthusiastic about and the attention Ba was receiving. "We proud of our buildi said. "We have our sure trove of good ture."

Salver credited with educating him style. "I couldn't te from Art Deco," he s

PHOTOS BY PETER ANDREW BOSCH/MIAMI HERALD STAFF

ON THE TRAIL: Girl Scouts Kira Feldman, right, and Hannah Imberman, center, prepare to give out copies of *MiMo Mania*, the guide they wrote that accompanies their walking tour. The two spent about 100 hours on the project. This building at 9801 East Bay Harbor Dr., left, is one example of the architectural style.

MIMO MANIA

Copies of Hannah's and Kira's self-guided-tour booklet were donated to the town of Bay Harbor Islands, which will give them to residents for free. Visitors can buy them for $1. Go to Town Hall, 9665 Bay Harbor Ter. Information, call 305-866-6241.

The younger generations love Mid-Century – BHI - MiMo.
Two teenager who attend elementary school in Bay Harbor Islands celebrate it's architecture history.
Today, when they attended a council meeting, our Mayor referrer to them as carpet baggers.

FUZZY NUMBERS= 8 MILLION DOLLARS

See your copy

B. ESTIMATED COSTS OF COMPREHENSIVE RESTORATION*.

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Unit Cost	Total Sub Contractor Costs	Total Estimated
Site Electrical works	Apts	35					$6,000	$210,000	$210,000
Mechanical works	Apts	35					$5,000	$175,000	$175,000
Site civil works	Apts	35					$5,000	$175,000	$175,000
Elevator	EA	1					$300,000	$300,000	$300,000
Baths (2 bath units)	Apts	10	$6,000	$60,000			$2,000	$20,000	$80,000
Baths (1 bath units)	Apts	25	$6,000	$150,000			$2,000	$50,000	$200,000
Kitchens	Apts	35	$12,000	$420,000			$3,000	$105,000	$525,000
New doors	Apts	35					$1,000	$35,000	$35,000
Painting & Trim	Apts	35					$3,000	$105,000	$105,000
Flooring	Apts	35					$5,000	$175,000	$175,000
Sub-total costs									$1,980,000
Contractors overhead and profit									$534,600
insurances& bonds									$138,600
Sub-Total									$2,683,200
PLUS ESTIMATED COSTS OF OBSOLETE FUNCTIONALITY ITEMS.									$3,536,477
Total costs									$6,189,677

* Restorations of buildings requires components manufactured by suppliers that may no longer be in existance or in the regular market, thus creating a cost uncertainty but undoubtly a substantial expensier products.

A final estimate of costs cannot be submitted without final restoration plan

ESTIMATED COSTS

Bay Harbor Continental, 1135 103rd Street, Bay Harbor Island, Bay Harbor, FL

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Cost	Total Sub Contractor Costs	Total Estimated
Built Up Roof	Square Feet	7000	$7.00	$49,000.00		$0.00	$6.00	$42,000.00	$91,000.00
Stairs Doors	Each	10	$2,500.00	$25,000.00	$600.00	$6,000.00		$0.00	$31,000.00
Potable Water Rough-Inn	Units	35	$1,200	$42,000	$2,500	$87,500		$0	$129,500
Sanitary and Soil Stacks Rough Inn	4000	35	$1,800	$63,000	$2,500	$87,500		$0	$150,500
Electrical Wiring	LS	35	$1,500	$52,500		$0	$1,500	$52,500	$105,000
New Windows and Sliding Doors	Units	105	$2,500	$262,500		$0		$0	$262,500
Wall Mount Split AC Systems	Units	35		$0		$0	$2,000	$70,000	$70,000
New Hand Rails	LF	2000		$0	$50	$100,000		$0	$100,000
Swimming Pool Resurfacing	LS	1		$0		$0	$10,000	$10,000	$10,000
General Painting	LS	1		$0		$0	$75,000	$75,000	$75,000
Lead Paint Abatement	Units	35		$0		$0	$20,000	$700,000	$700,000
Flooring	Required But Not Estimated			$0		$0		$0	$0
Laundry Appliances	Required But Not Estimated			$0		$0		$0	$0
Bathrooms	Required But Not Estimated			$0		$0		$0	$0
Refrigerators	Required But Not Estimated			$0		$0		$0	$0
Cabinets	Required But Not Estimated			$0		$0		$0	$0
Ventilation	Required But Not Estimated			$0		$0		$0	$0
Other				$0		$0		$0	$0
Total				$494,000		$281,000	$108,506	$949,500	$1,724,500
								Subtotal	$1,724,500.00
								Unexpected Costs - Add 15%	$258,675.00
								Total	$1,983,175.00

	Material Cost		$494,000
	Labor Cost		$281,000
	Labor Tax	23%	$64,630
	Subcontractor Cost		$949,500
	Unexpected Costs		$258,675
Total Direct Cost			$2,047,305
Contractor's Overhead		7%	$143,311
Contractor's Profit		20%	$438,230
Insurances			
Workmen compensation insurance		2%	$60,476
Payment & performance Bonds		3%	$281,000
Public liability		2%	$5,620
Total Insurance			$347,096
Residents relocation			
8 Months x 35 Units x $2000 Cost per unit per month			$560,000
Total Costs			$2,976,477
Total Relocation Costs			$560,000
Total Costs			$3,536,477
Cost Per Unit			$101,042

Being Designated Historic does not require an owner to do any work the property. <u>See county Q &A sheet</u>

Therefore how does 8 million Apply for hardship of the current Owners?

If a owner need money then they Can sell on open market and for probably more than what is being offered depending on the condition of their unit.

<u>THIS BUDGET $6,189,677 MILLON</u>

INCLUDES THE FOLLOWING – **None of this work is require by historic designation.**

- RENOVATION OF EVERY UNIT-
  <u>Why</u> is this included since each owner is responsible for the unit?
  <u>Why</u> would they have to pay to renovate other units??
  <u>Who's hardship is this</u>? Owners or Developers?

- PAINTI UNIT FOR **$20K** EACH TOTAL OF **$700,000**
- ELEVATOR $300,000 (they just replaced the lift)
- RELOCATON OF RESIDENTS FOR 6 MONTHS $560,000
- INSURANCE $347,000
- CONTRACTOR PROFIT OVERHEAD $534,000
- UNEXPECTED COST $258,000

<u>OBSOLETE FUNCTIONALITY ITEMS FOR $3.5 MILLION (no breakdown)</u>

To upgrade unit if it does not compare to surrounding neighbors, **which is not applicable, surrounded by similar units.**

<u>PLUS Odebrecht Report Added another $2,000,000 MILLION DOLLARS for</u>

SEAWALL REPLACEMENT, ADA AND LIFE SAFETY SPALLING, FEMA 50%.

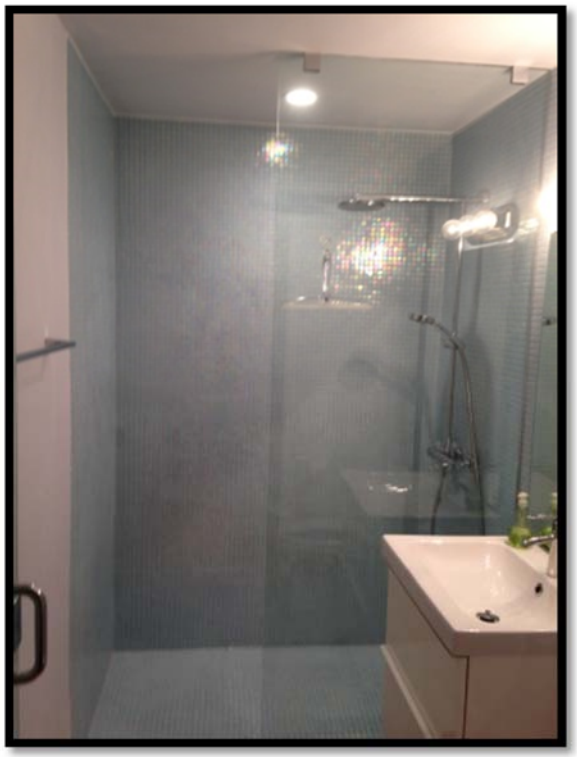
- SEAWALL– RM-3 properties with more linear Footage, Restored Seawall for $250,000

- FEMA 50% RULE –Historic Structures receive waivers and variance from Federal and Local government. (BHI)

- ADA required is one ramp from parking to curb.

- ELECTRICAL, LIFE SAFETY AND STRUCTURAL SPALLING WAS INSPECTED DURING IN **40 YEAR RECERTIFICATION.** June 2015.

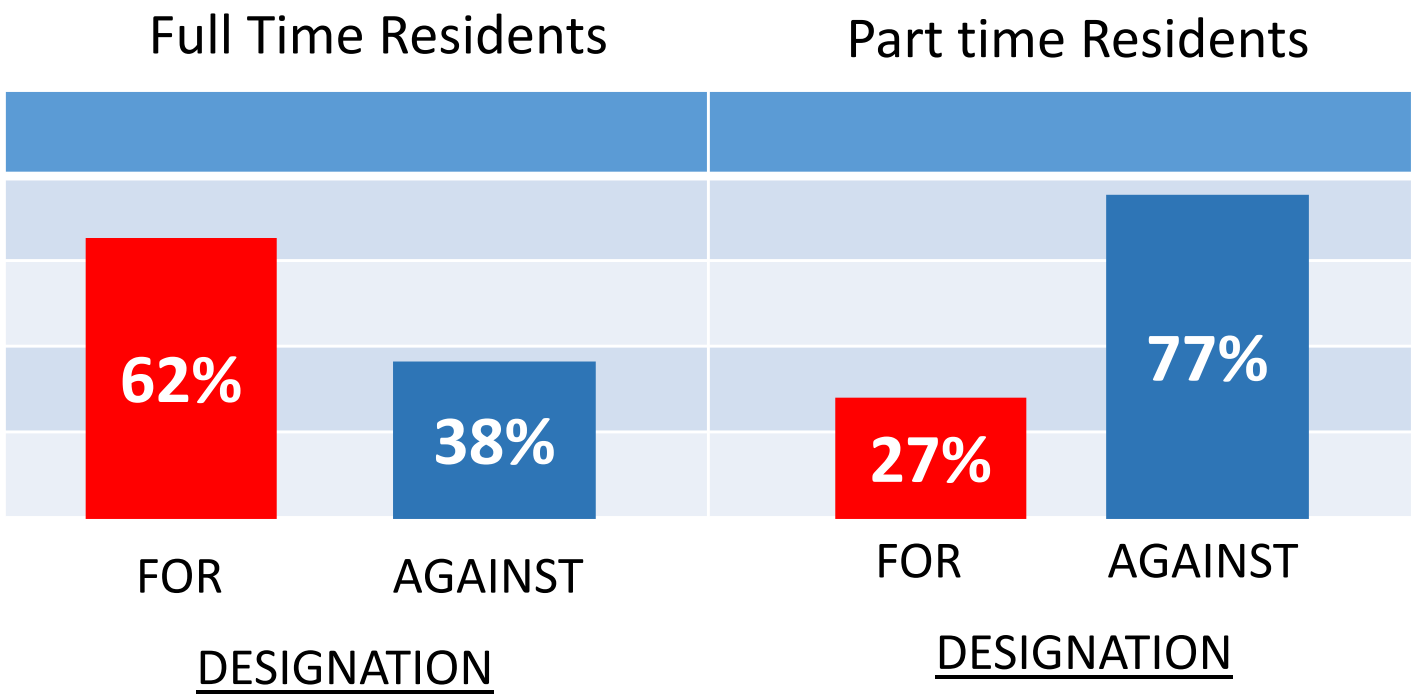








PART TIME RESIDENTS ARE DETERMING WHETHER LONG TIME RESIDENT LOOSE THEIR HOMES AND INVESTMENTS



86% DOES NOT EXIST- WE HAVE NEVER SEEN PROOF OF WHERE THEY ARE VALIDATING THIS NUMBER

Date : May 18 2015 04:06:14 PM
From : EMERGENCY COMMU (18664195000)
To : Teri D'Amico (13059451770)

Town Manager used the Town's Code Red System for emergency, to notify residents, 2 days before the May 20, Historic Preservation Meeting, regarding the Continental Appeal and the review of the Bay Harbor Island survey results.

"Hello this is the town of Bay Harbor Island. Please be advised there is an important meeting at the Miami Day County historic preservation board which the East Island Bay Harbor Island will be considered for possible historic district designation over 50% of the car properties could b affected directly this meeting is being held this Wednesday May 20 at 2 PM at the Miami Dade Library located at 101 West Flagler Street in Miami Bay Harbor Island residence who are interested in attending require a light-that-you(?) will be providing a bus that will be leaving town H promptly at 12:45 PM and will be returning immediately after the meeting concludes space on the bus is limited so please contact town hall if you're interested in attending this meeting at the historic preservation board anyone needing more information regarding the store preservation designation please contact."
... more. Please listen to your voicemail for the remainder of this message.

Ron Wasson BHI Town Manager-

Testimony from May 17, 2015 Historic Preservation Meeting

MR. KASDIN: So, therefore, in order to bring this building up to code in terms of life safety, city code, ADA and all the other required flood requirements, you're looking at an $8 million plus cost to be spread amongst 35 shareholders.

I'd like to ask Ron Wasson, Town manager, who's heard the scope of work that is required to bring this building into adequate shape, and ask him about the additional requirements imposed on the Town as a results of that.

Mr. Wasson.

MR. WASSON: Good afternoon. Ron Wasson.

As regards to the code, anytime that a structure is more than 50% of the assessed value is done to a building, the building would have to be raised to flood elevation. And that goes with any construction or renovation of the property.

MR. KASDIN: Now, further with respect to the economic hardship, I would like to ask Joel Reed to come forward, tell his credentials and to discuss the unfeasibility of renovating the building versus what it could get in the market if it was renovated. Joel's resume is in your Tab 5. And his testimony, as you will see, is it's economically unfeasible to renovate the building.

Mr. Kasdin references the extra 2 million
To bring the building up to code.

Town manager does not mention This code is not applicable for historic structures
See Bay Harbor Code- .

PART III - CODE OF ORDINANCES

Chapter 16A HISTORIC PRESERVATION

(14) *Owner of a designated property:* As reflected on the current Metropolitan Miami-Dade County tax rolls or current title holder.

Miami - Dade County, Florida, Code of Ordinances

From the Bay Harbor Island Building Code, chapter 7.5

Hardship, as related to variances from this chapter, means the exceptional difficulty associated with the land that would result from a failure to grant the requested variance. The community requires that the

***Historic structure* means any structure that is:**

(a)Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:

(b)Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic or a district preliminarily determined by the Secretary to qualify as a registered historic district:

(c)Individually listed on the Florida Inventory of Historic Places, which has been approved by the Secretary of the Interior; or

(d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

.

•Sec. 7½-19. - Variance procedures.

(d) Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure, and the variance is the minimum to preserve the historic character and design of the structure.

(

Federal Emergency Management Agency
Region IV
1371 Peachtree Street. N.E. Suite 700
Atlanta, GA 30309

NATIONAL FLOOD INSURANCE PROGRAM

THE 50% RULE

C. SPECIAL SITUATIONS 8-25
Exempt Costs 8-25
Historic Structures 8-25
Corrections of Code Violations 8-26
Example 8-27

HISTORIC STRUCTURES

Historic structures are exempted from the substantial improvement requirements subject to the criteria listed below. The exemption can be granted administratively if the current NFIP definitions of substantial improvement and historic structure are included in your ordinance, or they can be granted through a variance procedure.

In either case, they are usually granted subject to conditions.

If the improvements to a historic structure meet the following three criteria and are approved by the community, the building will not have to be elevated or floodproofed. It can also retain its pre-FIRM flood insurance rating status.

1. The building must be a bona fide "historic structure." Figure 7-13 has the definition that must be followed.

2. The project must maintain the historic status of the structure. If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule.

The best way to make such determinations is to seek written review and approval of proposed plans by the local historic preservation board, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If not, no exemption can be permitted.

3. Take all possible flood damage reduction measures. Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE, or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to reduce the flood damage potential. Examples include:

- Locating mechanical and electrical equipment above the BFE or flood-proofing it.
- Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.

"Historic structures are exempted from the substantial improvement requirements"…"Means the building does not have to be elevated to or above BFE"

Florida Statue

[1] The statute reads: "The Legislature finds that a program for the transfer of development rights is a useful tool to preserve historic buildings and create public open spaces in urban areas. A program for the transfer of development rights allows the transfer of density credits from historic properties and public open spaces to areas designated for high-density development. The Legislature recognizes that high-density development is integral to the success of many urban infill and redevelopment projects. The Legislature intends to encourage high-density urban infill and redevelopment while preserving historic structures and open spaces. Therefore, the Department of Community Affairs shall provide technical assistance to local governments in order to promote the transfer of development rights within urban areas for high-density infill and redevelopment projects."

In 2005, Bay Harbor Island implemented Transfer Development Rights TDR's, but they are not being used to compensate property owners of the loss of any property rights for historic property like they were designed for.

The town council is benefiting, not the public or historic buildings.

How can they complain about loss of property rights when we have a program designed to encourage historic preservation with financial compensation.

here is how D Alfieo described it:

"1) Councilperson **[Ileene] Wallace's** condominium building (9300 West Bay Harbor Drive) is where she serves on the condo board and as the notary. Her condo building received $540,000 as the TDR donor. The [eight unit] condominium building had used Town Councilperson **Robert Yaffe** as their attorney.

"2) The second TDR monies went to Vice Mayor **Kenneth Weinstein's** condominium building (9200 West Bay Harbor Drive) where he now serves as president. Vice Mayor Weinstein's eight-unit building will receive approximately $300,000. Once again, the condominium building had used Town Councilman Robert Yaffe as their attorney."

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In both cases the projects that would receive the TDRs (located at 9740 West Bay Harbor Drive and 9301 East Bay Harbor Drive) were being developed by limited companies controlled by **Ignacio Martinez** and **Noel Epelboim**. "As a result of this added density, both projects reduce the shoreline setbacks to approximately **12 feet to the above grade parking structure**. This encroaching on current setbacks adversely affects our open green space and view cor-

Oh, yes, the point! Well, just because you can't build tall in Bay Harbor **doesn't mean developers don't want to build there**, as evidenced by a recent flood of plans for new low-rise condo projects. Last week, however, the council gave its **first official blessing** of a TDR transaction, between **9300 West Bay Harbor Drive Condominium Association** (aka the donor) and **Noel Epelbom's Millennium Bay Harbor LLC**, which wishes to **replace a vacant multifamily building at 9400-9420 W. Bay Harbor Drive** with a **25-unit** project. And now, thanks to the eight "unused" units Town Planner Michael Miller determined the eight-unit 9300 West Bay Harbor Drive had, Epelbom/Millennium's plans are closer to fruition. Cost to Millennium: a $1,000 application fee to the town and **$540,000**, of which a 10 percent **nonrefundable $54,000 deposit** was to be

one w

At the May 8 Bay Harbor Islands Town Council meeting, an alleged conflict of interest involving a sitting councilwoman led to lively exchanges between two residents and the mayor.

The Millennium West condominium is a proposed 25-unit project to be situated at 9400-9420 W. Bay Harbor Drive. Last month, the council gave official blessing to a transfer of development rights (TDRs) transaction, between 9300 West Bay Harbor Drive Condominium Association and Millennium Bay Harbor LLC, builders of the new project. The Condominium Association sold what are called building rights they legally possessed for eight "unused" units that could have been built if 9300 ever were redeveloped. In exchange, Millennium's developers entered into a contract to pay $540,000 to 9300's condo association. Councilwoman Ileene Wallace, an owner of Unit 8 at 9300 and a member of the building's condo board, recused herself from the April vote. Councilman Robert Yaffe disclosed that he represented 9300 West Bay Harbor Drive association as an attorney, but was allowed to vote on the item.

"I don't
hear abo
I don't
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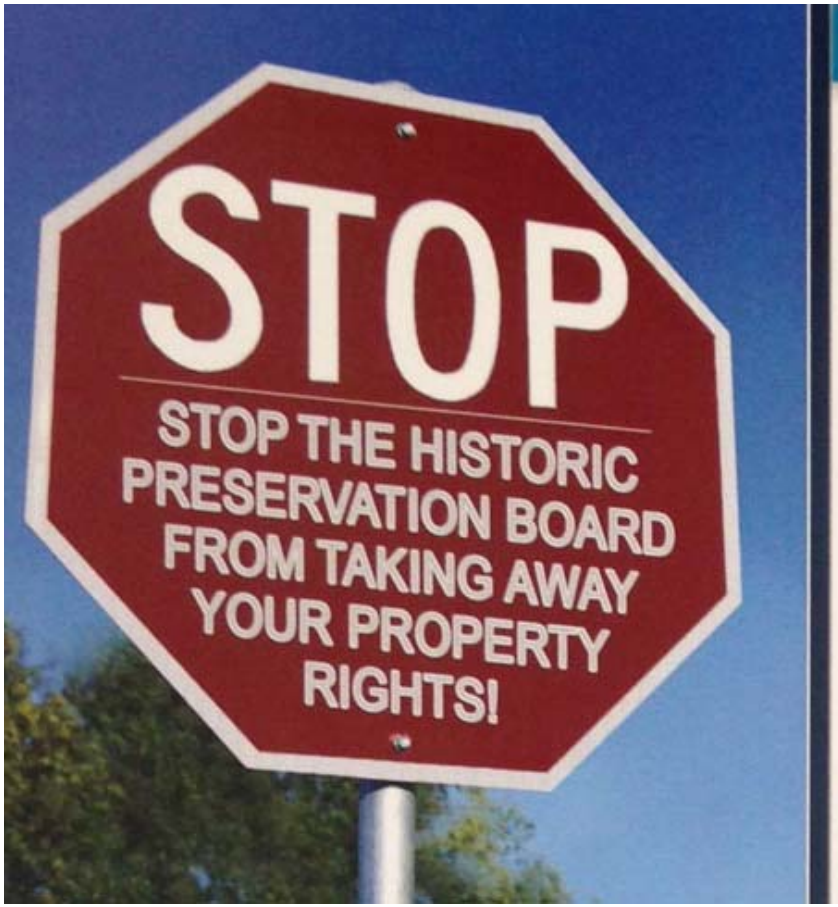
I don't
hear a
Millenniu
— Bay Harbor Islands



Historic Designation

Historic Designation means stricter regulations and consequences to YOU, the Property Owner.

- ✔ RESTRICTS your rights to make any physical changes to YOUR property.
- ✔ LIMITS your rights to sell and can diminish the value of YOUR property.
- ✔ REQUIRES that YOU bear the cost of maintaining the old structural elements of the building.

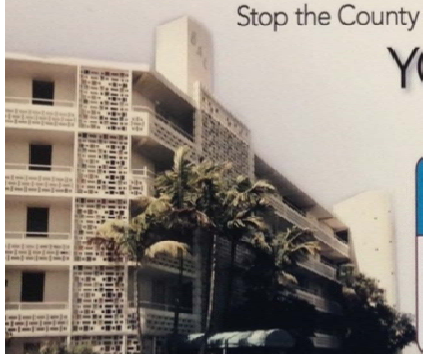
The Historic Preservation Board is proposing to designate over 130 buildings in East Bay Harbor Island, the first being the Bay Harbor Islands Continental Building.

June 30th

On June 30th the county commission will decide to either move forward with this designation or vote against it. If the county commission approves this measure it means that your property could be next and your property rights are at risk.

Tell the County Commission to VOTE NO on the Historical Designation and Protect Our Property Rights!

Your Rights are at Risk



Stop the County Historic Preservation Board from Taking Away

YOUR Property Rights.

Historic Designation means stricter regulations and consequences to YOU, the Property Owner.

- ✔ RESTRICTS your rights to make any physical changes to YOUR property.
- ✔ LIMITS your rights to sell and can diminish the value of YOUR property.
- ✔ REQUIRES that YOU bear the cost of maintaining the old structural elements of the building.

FIGHT FOR YOUR PROPERTY RIGHTS

2 WAYS YOU CAN HELP

- ✔ Voice Your Opposition
  Attend the County Commission Meeting.
  When: Tuesday, June 30th at 11:00 am
  Where: Stephen P. Clark Center
  111 N.W. 1st Street 2nd Floor
- ✔ Sign our Petition
  Go online to: www.WeAreBayHarbor.com
  To voice your opposition against the Historical Designation.

The Historic Preservation Board is proposing to designate over 130 buildings in East Bay Harbor Island, the first being the Bay Harbor Islands Continental Building. On June 30th the county commission will decide to either move forward with this designation or vote against it. If they approve this measure it means that your property could be next and your property rights are at risk.

PO Box 140427
Coral Gables, FL 33114

PAID

**********ECRWSH**C 016

Pure Fiction, they have been told so many times this is not true, but the town council members For 10 years have been trying to scare property owners about historic preservation. Now they blame us for the demolition too.

We Are Bay Harbor Islands
www.wearebayharbor.com

False

Miami Dade County Historic Preservation Board is proposing to designate over 130 buildings on the East island of Bay Harbor Islands. The Miami-Dade County Commission will vote on whether or not to overturn the historic designation of the first of these 130 buildings on June 30th, 2015.

Historic designation by the County will take away rights from property owners and force owners to live under a severe set of restrictions, including:

- Homeowners are required to receive County approval to renovate or expand their home [FALSE]
- Homeowners cannot replace aging structural elements of their home, but are instead forced to maintain them, often at great expense [FALSE]
- Homeowners cannot demolish any part of their structure to build something new [FALSE]

In addition, the designation of Bay Harbor Continental Building or the other 130 Bay Harbor Islands' buildings as historic, would likely halt proposed developments that will contribute to property values. Historic designation means stricter regulations and consequences to property owners.

The Bay Harbor Islands Town Council is opposed to the designation by the Miami-Dade County Commission because homeowners do not want the designation due to the role historic designation will have on limiting their property rights and reducing property values over time.

Sign the petition and stand with the Bay Harbor Islands Town Council, town residents and property owners in telling the Miami-Dade County Commission the people of Bay Harbor Islands should have the right to continue to make unfettered decisions regarding the property they own.

Name (please print):

Street Address:

City/State:

Phone:

Email:

We are not discussing 130 building at this appeal. The 130 is the number of MiMo buildings on the island and it was in a presentation of the county's survey of the island.

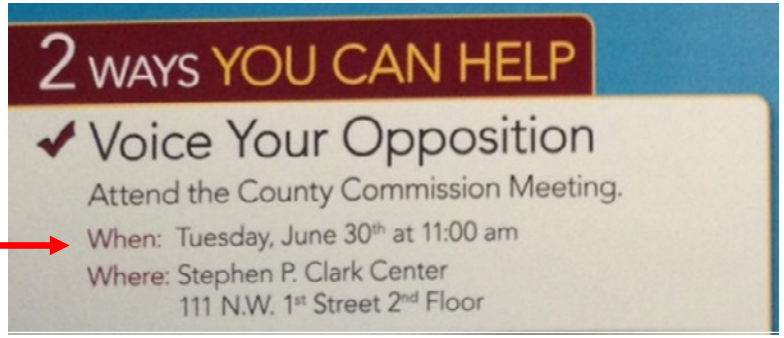
No one is recommending we designate 130, LOL, look how long it took us to get just one.

This is propaganda paid by the developer to get people to the meeting to stop the Continental.

Developers have deep pockets to provide funds for two mailers to everyone in the town. They are providing hundreds of thousands of dollars to help these residents remove other residents from their homes.

To date we only have one building designated. The Continental, if have only one, this is the one to keep.

They are blaming preservationist for the demolition, when they are encouraging it with lies to scare residents.



THORN GRAFTON, ARCHITECT, AIA, LEED AP

June 28, 2015

Re: Letter in support of maintaining the Historic Preservation designation of the Bay Harbor Continental, 1135 103 Street, Bay Harbor Islands, FL.

Dear Miami-Dade County Mayor and Commissioners,

This is a letter of support for maintaining the historic designation of the Bay Harbor Continental - I'm unable to attend the hearing, otherwise I would convey in person my sense of its important architectural and cultural significance to Miami-Dade County.

I'm an architect based in Miami-Dade County practicing here for over 35 years, and who grew up in a family of local pioneers and architects. I have been fortunate to work on nearly two hundred projects, both historic and new buildings, large and small. I've learned important lessons about the value of and meaning of the architectural continuum in our County's neighborhoods.

The Bay Harbor Continental is the quintessential post-war modern bayside apartment building. The Architect, Charles McKirahan, was one of the very best at conveying the exuberance and joy of life in South Florida of in the 1950s and early 60s, as this building does so well. Previously famous for his design of exotic entertainment venues such as the Mai-Kai and Castaways, appreciation of his work is now accelerating as a master of whimsy and fun in mid-century design for a variety of building types. McKirahan's collection of mid-century buildings are mostly in Broward, yet perhaps his two best Miami-Dade apartment projects are the Bay Harbor Continental and the Bay Harbor Club next door. He was also the architect for the Vagabond Motel on Biscayne Blvd., the subject of a restoration making it the centerpiece of strong economic revitalization for that stretch of the Boulevard.

Please understand - neighborhoods that lose resources of this caliber and significance lose long-lasting economic (and social) value. Quality new development is important, as long as considers its site, neighboring properties and community. Bay Harbor Islands needs to retain some sense of its own history - so many other County neighborhoods have embraced theirs and have seen overall property values rise. Saving this eminently historic building will create a balance in scale and in value - enhancing the built environment for the neighborhood's continuing new construction.

The economics of historic restoration are easy to inflate, in an effort to clear a building site. I will not lowball any specific current needs of the building which I have not carefully studied, but based on the building's observed condition and many similar examples, there are local developers who could save this building while making it an economic success. **It is now up to your wisdom and vision to recognize that the intrinsic value of saving this building far outweighs its demolition and replacement.**

Sincerely,

Thorn Grafton, AIA, LEED AP

2814 CHUCUNANTAH ROAD, MIAMI, FL 33133 305-772-1070
FL REGISTERED ARCHITECT #8200 tgrafton@zyscovich.com

ARTHUR MARCUS ARCHITECT
1800 North Andrews Ave. #7F * Fort Lauderdale, FL 33311
www.arthurmarcus.com * marcus2@bellsouth.net
T:305-467-6141 * AA #26000962

Jul

Mayor and Commissioners
Miami Dade County
111.N.W. 1st Street
Miami, Florida 33128

re:
HISTORIC DESIGNATION
of the
BAY HARBOR CONTINENTAL
1135 East 103rd Street
Bay Harbor Islands, Florida 33154

Dear Miami Dade County
Mayor and Commissioners:

I write to you as an architect who has practiced in south Florida for over 23 years with my own architectural studio specializing in Historic Preservation consulting. I have served on the City of Miami Beach Historic Preservation Board and Design Review Board for four years with one year as Chair of both boards.



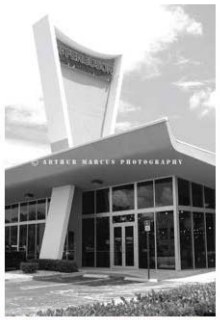


I also served on the Executive Committee and have formerly led the Public Policy Committee of the Miami Design Preservation League for many years. As an Architect in private practice I have renovated many historic buildings in South Beach. My professional resume is attached.

The architectural works of Charles McKirahan are iconic examples of the mid-century architectural style. His body of architectural work attests to his standing as the un-sung hero of mid-century south Florida architecture. McKirahan strongly influenced other architects of his day with his bold and inventive designs. I strongly disagree with the statements made by the appellant's expert witnesses in their analysis of the Bay Harbor Continental and which are shown below in italic font.

P HOTOGRAP IS BY MARCUS BAY HARBOR CONTINENTA...
© MARLES McKIRA IAN ARC HITECT
P HOTOGRAP H by ARTHUR MARCUS 2014

© MARLES McKIRA IAN ARC HITECT
June 25, 2015



"The characteristics are quite superficial and not particularly distinguishable."
The details of a Charles McKirahan building are very unique and often utilize swooping forms using concrete in new structural manners. He utilized brick and concrete in inventive ways that stretched the meaning of the materials, including curving screen walls made of brick and soaring cantilevered concrete arched-shell enclosures. On some of his buildings there are interesting coordinating patterns on every surface - as at Breakwater Towers.

TOP: FERGUSON'S KITCHEN & BATH aka CASTRO CONVERTIBLES, FORT LAUDERDALE.
by © MARLES McKIRA IAN ARC HITECT
P HOTOGRAP H by ARTHUR MARCUS 2014

MIDDLE: MIAMI RESTAURANT, FT. LAUDERDALE
© MARLES McKIRA IAN ARC HITECT (sourcing?)

BELOW: CASTAWAYS MOTEL, SUNNY ISLES BEACH, FL.
© MARLES McKIRA IAN ARC HITECT (demolished)





..."the detailing on the building is common and un-original."
When looking at Historic Architecture we must take ourselves back to the time when this particular building was designed. In the 1950's and 1960's these were very original forms - reflective of their time and original in their artistic visions. These forms remain inventive today even as viewed through our contemporary eyes. McKirahan was a master in interpreting each client's aspirations in a unique manner.

The photograph above-left of Ferguson's Kitchen & Bath aka Gastro Convertibles is a unique example of 1950's roadside architecture showing the desire to grab the attention of passing automobiles. In this building McKirahan brilliantly uses this unique tower form that never fails to catch one's eye as the sign board. He utilized that same concept in the Alexander Hotel in Miami Beach where the entire 14-story front facade becomes an attention grabbing show of artwork.

© MARLES McKIRA IAN ARC HITECT
June 25, 2015

..."the building is not a significant example of MiMo architecture."
The Bay Harbor Continental represents the finest example of the mid-century screen wall detail as architecture. The insertion of colored block was and is a novel design, especially as the screen rises above the roof to let the sky be seen thru the screen. Also the contrasting design of the science-fictional slant-roof stair towers with their tiny windows complements the tiny openings in the screen wall beautifully.

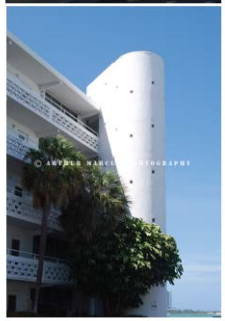


BREAKWATER TOWERS, FT. LAUDERDALE. © MARLES McKIRA IAN ARC HITECT
P HOTOGRAP H by ARTHUR MARCUS 2015

..."McKirahan was actually not a prominent architect."
Charles McKirahan was an extremely prominent architect in south Florida in his day. His life was tragically cut short by an automobile accident at the age of 44. He was remembered as being charismatic and gregarious and larger than life, according to his contemporaries. He married his architecture school sweetheart - Louise Woodland - and together they built a firm consisting of over 100 professionals in the 1950's in Fort Lauderdale, with branch offices in Chicago, the Bahamas and Brazil. Louise drew beautiful renderings of their proposed designs which typically sold the job to clients, especially with Chuck leading the discussions. McKirahan is one of the major mid-century architects in south Florida and has thus far not been given his fair due of recognition for his beautiful impacts upon the south florida urban-scape. talent and his designs.

© MARLES McKIRA IAN ARC HITECT
June 25, 2015





On a related note I am surprised that no engineering report(s) were included by the Appellant in their report for the seawall. I am also surprised that only a single General Contractor cost estimate has been included. Alternative cost proposals might better place the costs for construction in a more realistic light.

The Bay Harbor Continental represents the work of a master architect who interpreted the euphoria present in then contemporary society and imbued his architecture with that euphoria. The architectural work of Charles McKirahan is truly a magnificent reflection of those times past at mid-century. A significant and prolific body of design work of his architectural firm still exists throughout South Florida although many are in danger of demolition. A list of selected architectural projects of Charles McKirahan is on the following page.

Please uphold the Miami Dade County Historic Preservation Board's Historic Designation for the Bay Harbor Continental.

Thank you for your consideration of this matter.

Yours truly,

Arthur J. Marcus Architect

Attachments: Buildings of Charles McKirahan Architect and Professional Resume for Arthur Marcus Architect

TOP: SKYVIEW OFFICE BUILDING, FORT LAUDERDALE
© MARLES McKIRA IAN ARC HITECT

BELOW: BAY HARBOR CONTINENTAL, 1950
© MARLES McKIRA IAN ARC HITECT

Two prominent Miami architects, with years of experience on local design and historic boards, call these building "**quintessential post-war**" and "**iconic examples of Mid-Century Modern." McKirahan is a MiMo Master.**



BISCAYNE Times

MIAMI-DADE COUNTY
Iconic MiMo gem Vagabond reopens
about 10 months ago



MIDTOWN
MiMo historic district sees a future in the past
about 3 years ago



BUSINESS
Büro Group opening 3rd coworking center in Miami's MiMo district
about 8 months ago

MIAMI-DADE COUNTY
South Florida's Vagabond Motel, Mai-Kai Restaurant on National Register of Historic Places
about 4 months ago



HOME & GARDEN
An obsession with mid-century modern furnishings
about 7 months ago



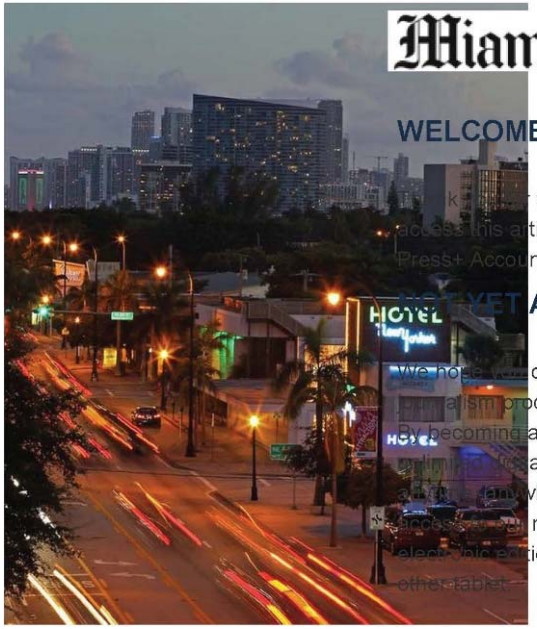
MIDTOWN
MiMo activists unhappy with FDOT's plans for Biscayne Blvd.
about 3 years ago

LIVING
North Beach is a South Florida neighborhood worth exploring
about 8 months ago



ARTICLES
Miami's Vagabond Motel, shuttered MiMo gem, to get another shot at revival
about 2 years ago

How can they say MiMo & Historic Designation will halt development and Lower property Value? This is right next to BHI



6/28/2015 MiMo's metamorphosis: Stretch of Biscayne Boulevard in bloom | Miami Herald Miami Herald

Business Monday OCTOBER 19, 2014

MiMo's metamorphosis: Stretch of Biscayne Boulevard in bloom

HIGHLIGHTS

The MiMo area of Biscayne Boulevard is experiencing a renaissance of redevelopment, with new businesses, restaurants and shops sprouting along the corridor as investors buy up properties.

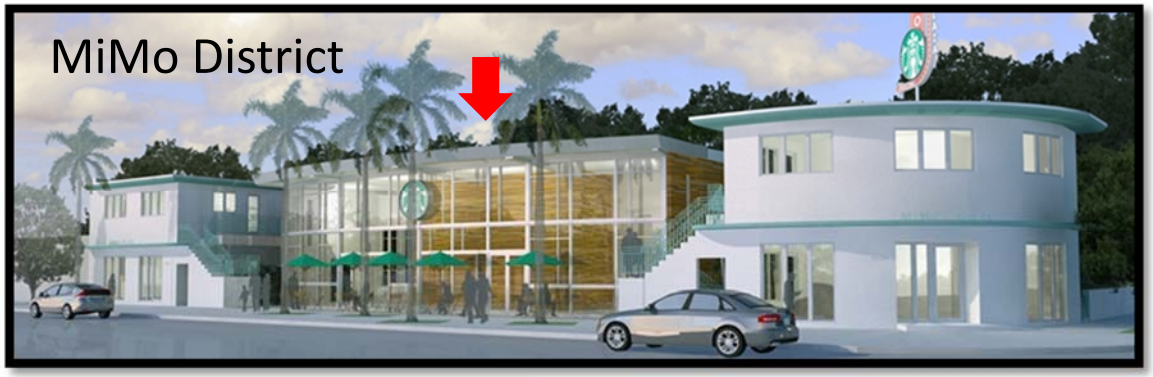
1 Bedroom Units on a dry lot with
no view of the water.

2 Bedroom Units on a dry lot with
no view of the water.



RM-3 District- Island Point 2 Bedroom with view.

Increases $181,000





NEW ADDITIONS TO HISTORIC STRUCTURES









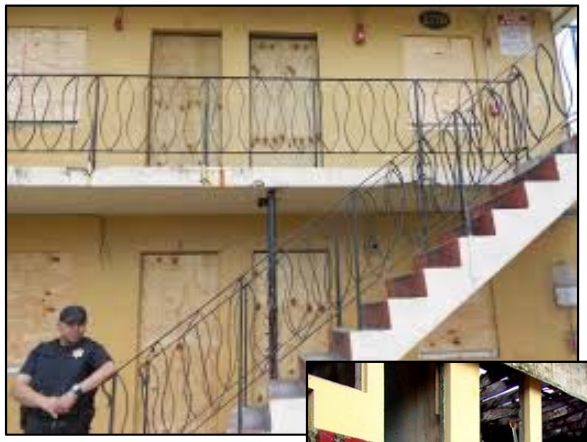














These Historic
MiMo Buildings
Have been restored
with far more
repair required.





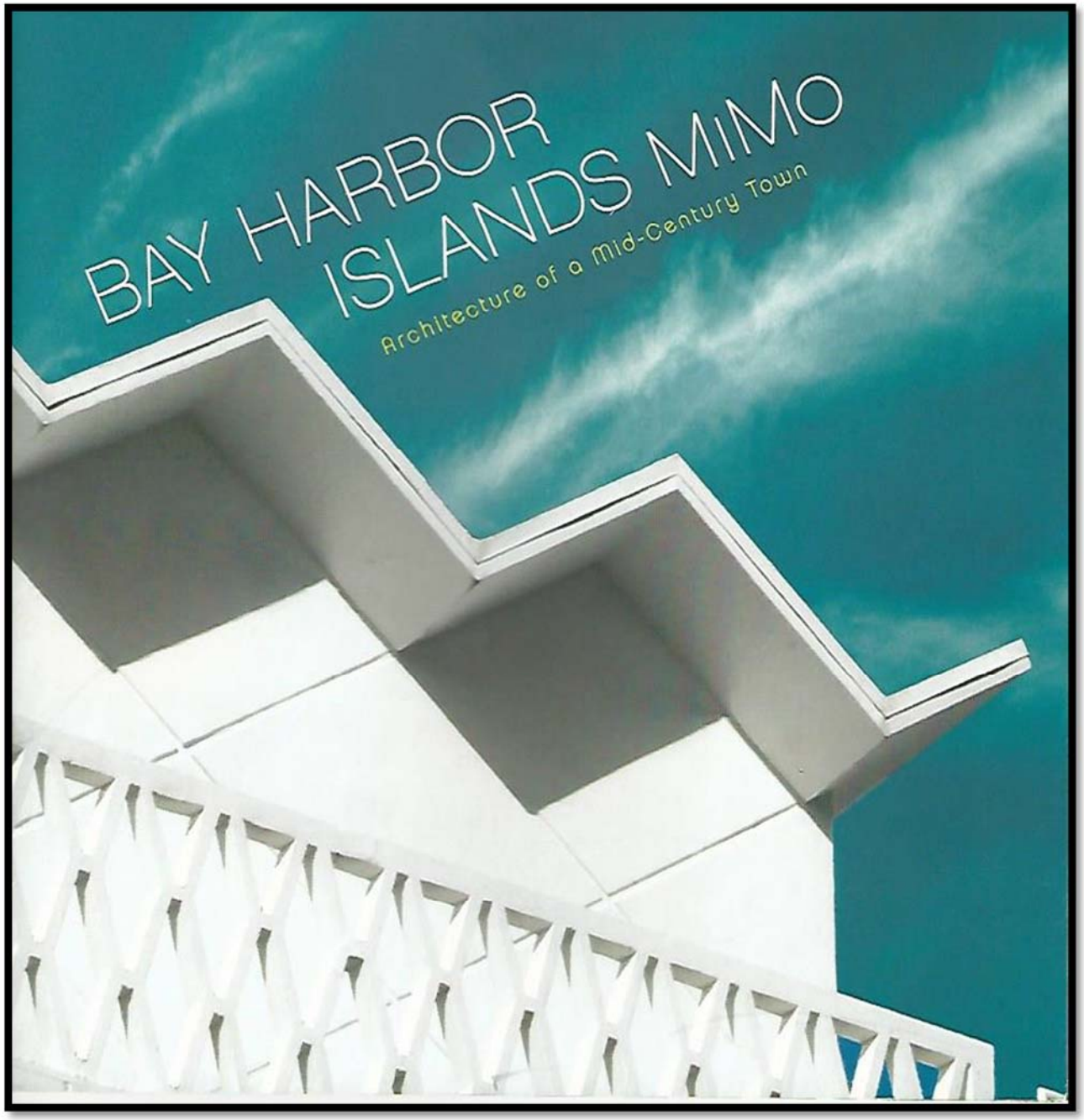


VAGABOND MOTEL

HAMPTON HOUSE







Volunteer authors for a non-profit organization
Teri D'Amico & Nina Korman, 2009

Tropic
FLORIDA LIVING & DESIGN
APRIL, 2015



editor's note

Making Preservation Lucrative



The Bay Harbor Continental, at 60 years of age, finds itself at the middle of a debate over preservation.
Photo: Robin Hill

THERE'S AN OLD SAYING that goes something like, "When they say it's not about the money, it's about the money." This truth makes itself at home in South Florida every time we have a development boom, whether one is talking about the land boom of the 1920s, the condo tower craze of the early 2000s or that of today, when vacant lots in downtown Miami are reaching the $70 million figure and developers are circling older properties looking for an inexpensive buyout.

These deals have been happening, quietly in some cases and with quite a bit of fuss in others, but it is especially disturbing when they involve properties of architectural significance. The debate rages on in Miami's tiny Bay Harbor Islands community as some wish to push the development envelope to taller, denser structures, while others want to preserve the scale and character that makes these two islands special. Fort Lauderdale is also feeling that pressure, and yet, unlike Miami, it seems totally unprepared for this future, thrust upon it by ever increasing real estate values.

While Miami makes use of preservation and designation, Fort Lauderdale barely knows the meaning of the words. While Miami's Biscayne Boulevard MiMo District gains in popularity and its owners reap the benefits of both designation and a very lucrative Transfer of Development Rights program or TDR, Fort Lauderdale does not.

Creating new programs with incentives for property owners – programs that financially reward those who protect and restore architecturally significant properties – isn't that hard... but you have to *want* to do it. One of the homes we show in this issue is a fully restored, single-family house in California. That home (see page 32) takes advantage of the California Mills Act, which provides for substantial property tax abatement in exchange for the owner's stewardship of their E. Stewart Williams-designed gem.

Mills Act participants may realize substantial property tax savings of between 40 and 60 percent each year for newly improved or purchased older properties because valuations of Mills Act properties are determined differently. Local governments use the Mills Act because they recognize the economic benefits of conserving historic resources. They realize the important economic driver in historic preservation can be in revitalizing older areas and creating cultural tourism.

We'd like to see the expansion of the TDR program, which helps create smarter urban growth, encouraging density at the city centers, where it belongs, paying owners of historic or architecturally significant properties money for the use of their development rights in another section of town, where density is a plus, not a minus. We'd also like to see local counties adopt a program like the Mills Act, if only to protect the best of our older structures, keeping the Old Florida character that people come from the world over to see. Now is the time.

John T. O'Connor
Editor-In-Chief



Tray balconies and breezeblock walls studded with multi-colored glass block are just two of McKirahan's signature treatments at the Bay Harbor Continental, built in 1958.

UNCOVERING McKIRAHAN

A South Florida Supernova may — finally — be getting some recognition.

Text Nina Korman **Photos** Robin Hill

DESPITE ITS OFTEN-GLOWING REPUTATION, the 1950s weren't always so "fabulous." In fact, 1958 especially was not a good year for the United States. More than a decade of post-war prosperity came to a crashing end. Unemployment hovered at seven percent. And, even worse, teen idol/singer Elvis Presley was drafted into the U.S. Army! President Dwight D. Eisenhower found himself commanding a country experiencing its first major recession since the Great Depression.

In the state of Florida, which had grown tremendously following the Second World War, the economic outlook was slightly sunnier. At the time, the chief employer was the commercial airline industry, which began shuttling tourists in and out of the state year-round. Enterprises devoted to cement and even armaments were thriving as well.



Shimmering like water in a Florida swimming pool, embedded glass blocks are set randomly in screenblock walls at McKirahan's Bay Harbor Continental.

Florida's prosperity rained down on many. And in 1958, the architect Charles F. McKirahan was one of the fortunate ones. He had arrived in South Florida with his then-wife, Lucille, also an architect, nearly a decade before. After a brief stint as chief draftsman in the office of Gamble, Pownall & Gilroy and a few years working with a partner, McKirahan, in 1953, launched his solo career as an architect in South Florida and beyond. The war was a dark relic of the past. Americans were looking squarely toward a brighter future. In Florida, plenty of vacant land was ready to accommodate the droves of eager vacationers who needed places to stay and play, plus the masses of would-be homeowners anxious for a place to settle down. McKirahan was ready to oblige.

Not a pure modernist by any means, McKirahan would create sleek modern structures tailored to the local, subtropical environment with his personal, whimsical touches. A building was thoughtfully and artfully sited on a lot to take maximum advantage of bright sunlight, fresh air and stunning views. Floor-to-ceiling glass, in the form of sliding glass doors or banks of operable jalousie windows, often took the place of a solid exterior wall. Cast concrete screen block in a variety of shapes would add embellishment and provide protection from the elements. A structure's spatial organization would promote easy access and circulation.

Although innovative designs were crucial to drumming up business, compelling visuals were paramount as well. McKirahan's spouse, Lucille, was renowned for creating impressive renderings that would help clinch the job. And soon the list of McKirahan-designed projects began to multiply at a dizzying rate.

Initially, smaller structures like Fort Lauderdale's Manhattan Tower, complete with a unique jungle gym/bird cage stairwell, sprouted up in 1953 as a corporate retreat for General Motors executives. A few years later,

Currently, the Bay Harbor Club and Bay Harbor Continental are being considered for historic designation by the Miami-Dade County Historic Preservation Board. Charles F. McKirahan, their architect, died in 1964 at age 44, leaving behind "an astounding legacy of architectural masterpieces."

McKirahan became the go-to architect for the powerful, prolific developer, Coral Ridge Properties, which grew to own a $50 million portfolio of land in Broward County. It seemed nearly anything with the name Coral in it was his design: Coral Ridge Country Club, Coral Ridge Yacht Club, Coral Ridge Towers, the list goes on.

It is fair to say that other than his prodigious talent, McKirahan had incredible luck. South Florida at midcentury was exactly the right place for a daring, young architect. Modern life was being re-defined. Home own-

CITIZEN McKIRAHAN

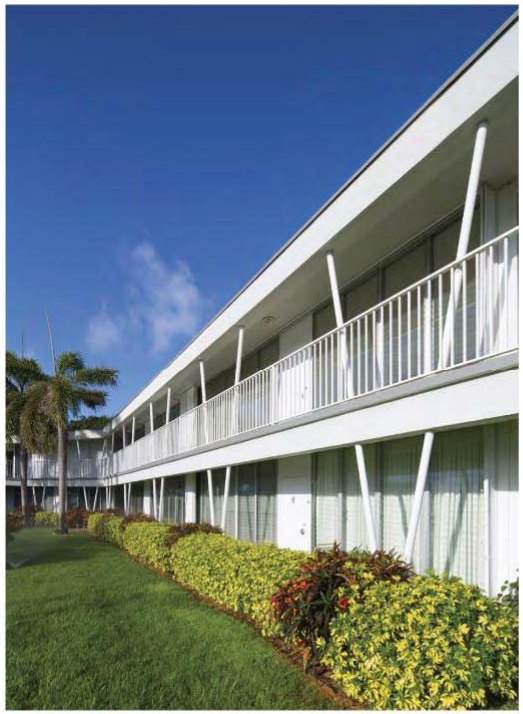


Born in March of 1919 in Tulsa, Oklahoma, the architect Charles Foster McKirahan may have anticipated another famous "Charles Foster," the protagonist of the film *Citizen Kane*, by 22 years, but oddly they did share some similarities aside from their name. Like the cinematic character, McKirahan was "bigger than life" says Lucy Hodges Weber, who at age 8 became one of the architect's four stepchildren when he married their mother, MaryLou Hodges, in 1960. McKirahan also built his own version of Xanadu during his second marriage. However, his expansive modern manse with a distinctive folded-plate roof was more modest and set on a waterfront lot in Fort Lauderdale's Harbor Beach neighborhood. The parallels end there, because unlike the fictional mogul, McKirahan's time on earth was brief and much less fraught with regret.

Charismatic and gregarious, the over 6-foot-tall redhead was a 1946 graduate of the University of Illinois. There he met fellow architecture student, Lucille Woodland. They married in 1941 and had two sons, Charles, Jr. (now deceased) and Robert. Studies and marriage were interrupted by the three years McKirahan spent in the U.S. Army Corps of Engineers during World War II, working in Japan, Hawaii, Australia, Guam, and the South Pacific. That experience would profoundly influence him and his future architectural output.

Eventually, his firm boasted 100-plus employees and satellite offices in the Bahamas, Brazil, and Chicago, but McKirahan still made time for his children, whether carting them to the local drive-in restaurant for a burger or driving his oldest stepson to school in Boca Raton each morning. "He really connected with people and was a lot of fun," says Robert McKirahan, his youngest son. His sense of humor was relentless too. Weber recalls his office on Oakland Park Boulevard having a two-story, screened-in enclosure that housed a flock of birds, including a toucan.

Sadly, Charles F. McKirahan died suddenly on Wednesday, February 12, 1964. Driving his Chrysler Station Wagon on the Florida Turnpike, he lost control of the car, jumped a guardrail, and collided with a post supporting an overpass. His family had moved into the new house he had designed for them just two months earlier. He was 44 years old and his career was at its height. Fifty-one years after his death, his work still speaks to us. —NK



Similar to McKirahan's Bay Harbor Club in Bay Harbor Islands is his earlier Bay Club on Yacht Club Boulevard in Fort Lauderdale. Both feature V-shaped beampoles and walls of floor-to-ceiling jalousie glass windows.

ership, with its nagging responsibilities, wasn't everyone's dream. A novel, carefree model of living was being touted via a new building type: co-operative apartments. Co-ops, as they are known, are said to have originated in New York City and were introduced to South Florida in the late 1940s. In a co-op, as opposed to a condominium, a homeowner does not own his or her physical apartment. He or she, along with neighbors, becomes a shareholder in a corporation that owns the entire building. Shareholders (the larger the apartment, the more shares allotted) are entitled to a proprietary lease in the building and can get a series of tax breaks that condo owners don't enjoy.

Co-ops and Charles F. McKirahan arrived in South Florida just about simultaneously. Also around that time, a few miles south of Fort Lauderdale, attorney Shepard Broad and his business partner, Benjamin Kane, were creating a 300-acre, two-island town in Biscayne Bay from a former mangrove swamp dubbed Bailey's Island. Incorporated in 1947, Bay Harbor Islands was located north of Indian Creek Island and west of Bal Harbour and Surfside. Wisely planned, it would consist of single-family homes exclusively on its West Island and multi-family units, a school, and a small business district on its East Island.

By the mid-1950s, Bay Harbor's East Island was nearly built-out. Modestly scaled garden apartments occupied its center, and taller, more majestic structures were placed on its northern and southern tips so as not to impede views and cast unwanted shadows. Careful consideration was given to the placement of a structure on a lot, allowing for green space in front of and around the property, ample parking areas, and a comfortable distance between buildings. The co-ops and condos were created by an array of internationally known architects, among them Morris Lapidus, Igor Polevitzky, Norman Giller, Melvin Grossman, and Charles F. McKirahan.

Airy, lighthearted, and intentionally welcoming the outdoors, Bay Harbor Club, Bay Harbor Towers, and the Bay Harbor Continental embody the exuberant elegance that had become McKirahan's trademark.

Briefly lured south, McKirahan designed a trio of co-ops on the East Island: the Bay Harbor Club, Bay Harbor Towers, and the Bay Harbor Continental. Airy, lighthearted, and intentionally welcoming the outdoors, all three dwellings embody the exuberant elegance that had become McKirahan's trademark. They were completed from 1956 to 1958, respectively, the final structure, the jaunty Bay Harbor Continental, debuting during the gloomy U.S. recession of 1958. Just a year earlier, in 1957, the 10-year-old town seemed concerned enough about its quality of life that it retained the architect and planner Robert Fitch Smith as a consult-

OH MY, MAI-KAI



A few days after Christmas in 1956, the city of Fort Lauderdale, and the world, received a slightly belated but very welcome gift. Encased in a rattan and bamboo shell, embellished with greenery, and soaked in alcohol, it wasn't yet another holiday fruitcake but something infinitely more appealing: The Mai-Kai, South Florida's premiere Polynesian showplace. Complete with sultry dancing maidens, menacing torch-wielding warriors, lush gardens, tasty cuisine, and potent cocktails, the dazzling restaurant was the realized dream of brothers Bob and Jack Thornton.

The architect charged with making the brothers' vision tangible was Fort Lauderdale's Charles F. McKirahan, a perfect choice. A veteran of World War II, he had been stationed in the Pacific and absorbed plenty of design lessons during his three years overseas. From the peaked roofs of Coral Ridge Country Club and the Coral Cove co-ops to the enormous pagoda gate and fretwork balustrades of the Castaways hotel, McKirahan often added stylish subtropical chinoiserie accents to his modern structures, making it very clear that Bali Ha'i was still calling him.

In 1959, another tiki-themed restaurant project landed in McKirahan's lap, and he designed the South Pacific in nearby Hallandale. "America's most exotic and glamorous Polynesian restaurant and village," as it called itself, lasted a mere 16 years. A fraction of time compared to the Mai-Kai, which always seemed close to McKirahan's heart.

"We used to go out to dinner, mostly on Sundays, and a lot of times we went there," recalls Lucy Hodges Weber, the architect's stepdaughter. "For kids it was a really cool place." For many adults it still is. Like her stepbrother, Robert McKirahan, who, when visiting from his home in Las Vegas, makes sure to stop by and see friends such as Angel Vega, a 50-year veteran of the establishment, and enjoy his favorite Black Magic cocktail in the Molokai Bar.

Although the Mai-Kai was expanded more than once since its 1956 opening, its singular status as one of the last of its kind helped earn it a prestigious listing in the National Register of Historic Places in late 2014. But a recent discovery in a warehouse filled with Mai-Kai artifacts shows that the idea of multiple Mai-Kais entered someone's mind at some point. Stuffed into a barrel were plans drawn by Charles F. McKirahan for a Mai-Kai in New York City, located on East 57th Street. The date: 1960. Just imagine, Manhattans served in a coconut-shell mug! —NK



McKirahan's designs for Sunrise Bay Club in Fort Lauderdale feature floating staircases, suspended walkways and custom-designed, wrought-iron railings of the architect's design.

ant. His job was to examine land use and zoning ordinances, plus make recommendations on building heights and the type of structures compatible with the town.

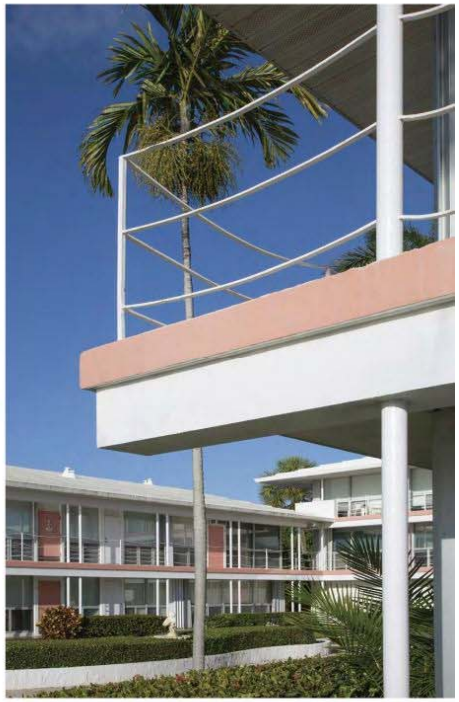
Such worries seem almost quaint now and are a stark contrast to the Bay Harbor Islands of today. Amid an overheated real estate market, little mind is being paid to planning in the town. New buildings are being erected at a breakneck pace. Most are incompatible with the existing architecture, meaning they are either too tall, too dense, take up nearly every inch of their lot, or all of the above. A local government-run program allowing the selling of air rights (also known as transfer of development rights, or TDRs) is being sorely mishandled, resulting in a mish-mash of tall and small buildings alongside each other.

Being demolished just as quickly are original structures which have little protection. The government of Bay Harbor Islands itself does not administer an historic preservation program to shield its worthy structures, and it frequently opposes any effort by others — like Miami-Dade County, under whose jurisdiction it falls on these matters, or the National Trust for Historic Preservation which placed the East Island on its 2014 list of America's 11 Most Endangered Historic Places — to preserve its irreplaceable buildings. Numerous studies have repeatedly shown that historic designation of a property only raises its market value. A legitimate TDR program allows the owner of a historically designated property (donor) to sell its air rights to a developer (receiver); however, the receiving property is always miles away from the donor, not next door or down the block. The money earned from the sale is supposed to be used to refurbish the historic building, helping to maintain the character of the area in which it exists. (The enlightened owners of the Vagabond hotel in Miami's MiMo/Biscayne Boulevard Historic District have used TDRs to great effect.)

The enlightened owners of the Vagabond hotel in Miami's MiMo/Biscayne Boulevard Historic District have used a Transfer of Development Rights program or TDRs to great effect. Wouldn't it make sense to use those very programs to preserve many of Fort Lauderdale's most important structures?

Currently, the Bay Harbor Club and Bay Harbor Continental are being considered for historic designation by the Miami-Dade County Historic Preservation Board. Charles F. McKirahan, their architect, died in 1964 at age 44, leaving behind "an astounding legacy of architectural masterpieces," says Diane Smart, former head of the Broward Trust for Historic Preservation. Historic designation would place clearly delineated limitations on any alteration or demolition of these buildings. Instead of wiping out vestiges of the past and ignoring lessons that could be learned from a highly successful planned community, developers could take heed and adaptively re-use historic structures. Sensitively incorporating the buildings or many of their design elements into new construction might result in something entirely unique, highly desirable, and as utterly indispensable as the original structures themselves.

Bean poles, nautical railings and elegant Bermuda roofs are some of the signature details McKirahan employed 17 individual buildings at the exquisite Coral Cove Club on Yacht Club Boulevard.









Mai-Kai, Fort Lauderdale

Charles McKirahan,

2015 Designated as a landmark building
National Trust for Historic Preservation


Birch
Tower


Manhattan
Tower


the Castaways








the





Bay Harbor Continental Appeal Economic Impact

Background

Sec. 16 A-4 Definitions

(14) Owner of a designated property: As reflected on the current Metropolitan Miami-Dade County tax rolls or current tittle holder.

All the petitioners are reflected on the current Metropolitan Miami Dade County tax roll as required by the ordinance.

Undue economic hardship would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.

Being forced to sell for approximately 50% of what was agreed to places the shareholders in an undue economic hardship as you will see in the next graph

The net proceeds are below the market value

NOTHING is stopping unit owners from selling at market value that will result in a higher return vs. selling the coop and loosing 50%. Why do a few have to force approximately 37% to sell there homes and be forced out for below market value .

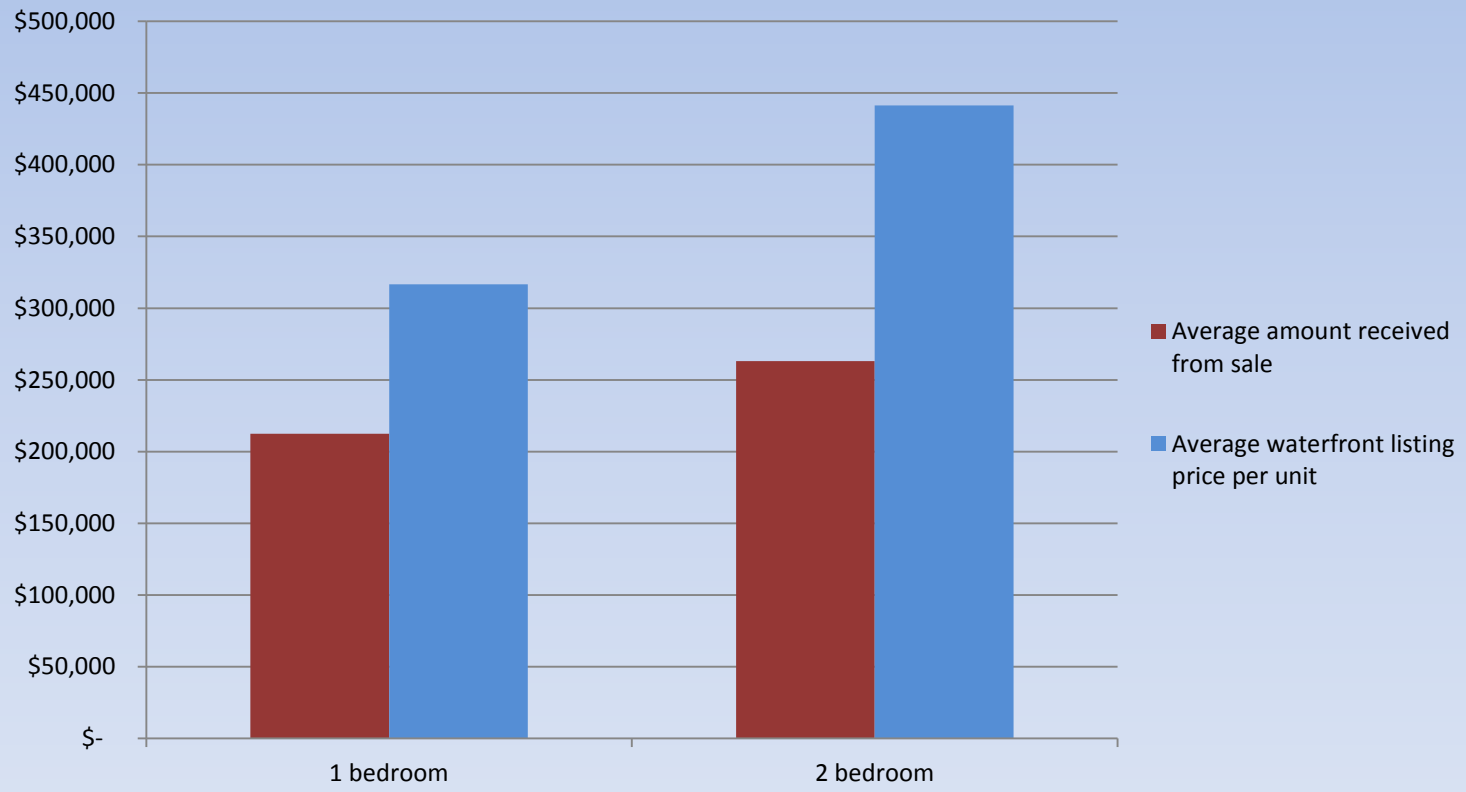
HYPOTHETICAL REVENUE DISBURSEMENT SUMMARY

Co-op Property Sale		
	Bay Harbor Continental, Inc., Delaware corporation	
PROPERTY:	**1135 103rd Street, Bay Harbor Islands, FL 33154**	
CLOSING DATE:	**Any with 14 day notice from buyer**	**No Tax Savings**
		Scenario A
Contract Sales Price		$ 16,500,000
Co-op Related Closing Costs & Expenses		
Documentary Stamp Tax on Transfer payable to County Clerk of Court		$ (99,000)
Miami Dade Surtax on Transfer payable to County Clerk of Court		$ (74,250)
Real Estate Taxes		$ (29,305)
Fortune International Realty Broker Commission	2% Selling	$ (321,750)
Coldwell Banker Broker Commission	2%Listing	$ (321,750)
Attorney's Fees		$ (102,900)
Mortgage Sun Trust		$ (210,000)
10% Withholding for corporation expenses		$ (750,000)
Corporate Federal Income Tax Liability (estimated @ 39% of Net Proceeds)		$ (6,402,000)
	Gross Seller Proceeds	$ 8,189,045
	Net Revenues avail for Distribution	
	397 Shares @ per Share =	$ 20,627.32
		.
	10 Shares	$ 206,273
	11 Shares	$ 226,900
	12 Shares	$ 247,528
	13 Shares	$ 268,155
	14 Shares	$ 288,782
	Average Per Unit	**$ 247,528**

Tax mitigation is estimated to save an additional $2 million and still results in below market values, additionally the legal opinion is that " appears to generally satisfy certain Internal Revenue code requirements, there is no assurance as to whether the tax treatment of the restructured transaction and possible tax mitigation would not be successfully challenged by the Internal Revenue Service."

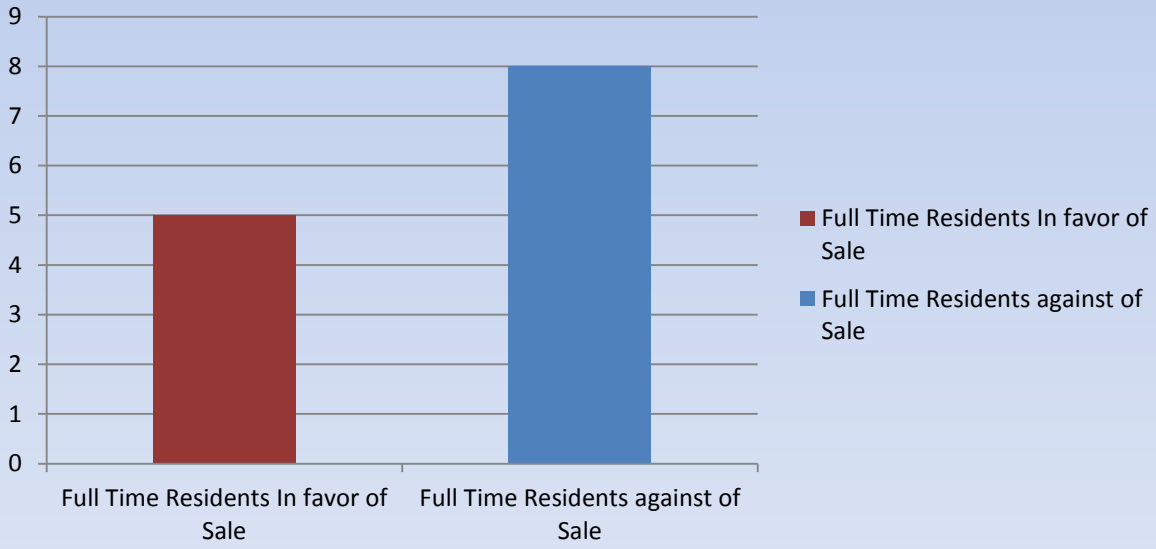
Average Net Proceeds Vs. Market Value Listings

	1 bedroom	2 bedroom
Average amount received from sale	**$ 212,459**	**$ 263,068**
Average BHI waterfront listing price per unit	**$ 316,750**	**$ 441,400**



Ratio of Residents living at BHC

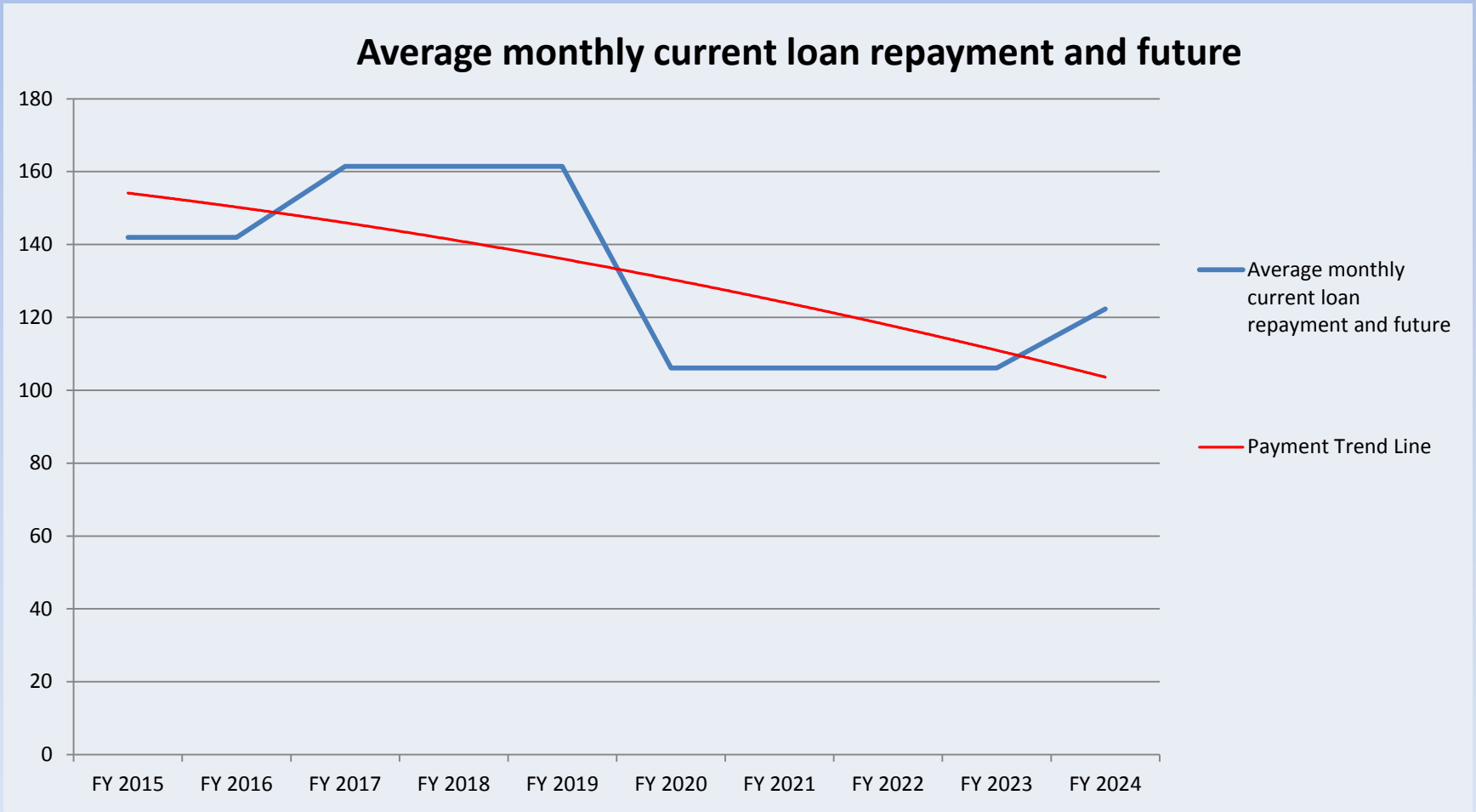
- Most of the owners in favor of selling do not live at BHC and this is a secondary or vacation home
- The fulltime residents that live at BHC are 13 and 38% wish to sell and 62% wish to stay and would be displaced



10 Year Infrastructure Maintenance Pro forma

Plan Year				**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**
Plan Name			**Budget**	**Estimate**	**Estimate**	**Estimate**	**Estimate**	**Estimate**	**Estimate**	**Estimate**	**Estimate**	**Estimate**	**Estimate**
Fiscal Year			**FY 2015**	**FY 2015**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**FY 2024**
Funding Sources	Balance Forward				$123,975	$123,975							
Sale of TDR's			$350,000	$350,000									
Loan						$88,529			$253,220				$73,920
Pay as You Go													
Total Revenues			**$350,000**	**$350,000**	**$123,975**	**$212,504**	**$0**	**$0**	**$253,220**	**$0**	**$0**	**$0**	**$73,920**
Infrastucture Renewal Program													
Detail	Useful Life	Remaining Life	Budget	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Planned Capital Expense			FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Asphalt Overlay	20	0	$14,975	$14,975									
Asphalt Seal Coat	4	0	$2,927	$2,927					$3,220				
Concrete Restoration	10	5	$250,000						$250,000				
Elevator	30	0	$36,960	$36,960									
Fence	20	3	$11,517			$12,669							
Fire Safety System	20	0	$19,059	$19,059									
Pool Heater	15	12	$5,857										
Pool Resurfacing	13	11	$10,372										
Roof Cabana	20	0	$9,484	$9,484									
Roof Residence	20	3	$120,578			$132,636							
Seawall Renovation	20	0	$142,619	$142,619									
Painting	7	2	$67,200			$67,200							$73,920
			-										
IRP Expenses Total			**$691,549**	**$226,025**	**$0**	**$212,505**	**$0**	**$0**	**$253,220**	**$0**	**$0**	**$0**	**$73,920**
Balance				$123,975	$123,975	0	0	0	0	0	0	0	0
Debt Service													
20 Year Loan in FY 2017 based on useful life of asset						7718	7718	7718	7718	7718	7718	7718	7718
10 Year Loan in FY 2020 based on useful life of asset									34404	34404	34404	34404	34404
20 Year Loan in FY 2024 based on useful life of asset													6445
Debt Service Expenses Total			0	0	0	7718	7718	7718	42122	42122	42122	42122	48567
				FY 2015	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**FY 2024**
Average monthly current loan repayment and future				**142**	**142**	**$161**	**$161**	**$161**	**$106**	**$106**	**$106**	**$106**	**$122**

10 Year Infrastructure Renewal Impact



Conclusion

- There is significant economic impact to the shareholders if forced to sell
- Residents may receive below market value prices
- Classic case of gentrification by displacing residents to make way for more affluent population
- Renewing the infrastructure has minimal impact and decreases over the 10 years
- There is no reason why owners can not sell and receive more than they would with this developer
- If allowed to happen it promotes people to buy historic properties to run them down in order to flip at a higher price to potential developers while long time residents suffer

Appeal of Miami-Dade County Historic Preservation Board's designation of

The Bay Harbor Continental

1135 103rd Street
Bay Harbor Islands, Florida,

Filed by Bay Harbor Continental, Inc. and P3 Investments, LLC

Sea Wall Report

Town of Bay Harbor Islands
Seawall Inspection Report
Volume I

Description and Background

An inspection of the seawalls located on the perimeter of the two islands that collectively comprise Bay Harbor Islands was performed at the request of the Town. The purpose of the inspection was to provide a general overview of the seawall condition and to identify locations that require repair or further investigation to ascertain a method of repair. The inspection was performed utilizing non-destructive methods and was limited to the accessible areas of the seawall between the waterline and the seawall cap.

The inspection began July 26, 2006 and concluded August 23, 2006. The Town provided an inspection boat and Police Escort for the duration of the inspection.

There were a total of 165 properties that were inspected. Due to the large number of supporting photographs, the report is prepared in three separate volumes. Volume I addresses properties numbered 1 thru 62, Volume II addresses properties 63 thru 100, and Volume III addresses properties 101 thru 165. The following table sorted by property address summarizes the findings of the inspection. Each seawall has been prioritized on a scale of 1 to 3, with 3 requiring prompt corrective action and 1 requiring no corrective action.

ID #	Property Address	Comments	Photographs	Priority
1	Town Property (SE Quad of ICWW)	Failure of seawall joint at the southeast quadrant allowing wash-out. Heavy loss of backfill in lot. Further investigation warranted for cause of soil loss.	Photo 1 Photo 2	3
2	9530 West Broadview Dr.	15 LF +/- spall at north end of property with exposed steel. Longitudinal crack on top face of entire length of seawall cap most likely a result of corrosion of the reinforcing steel. Concrete will require partial removal to expose corroded steel. Steel will require preparation and corrosion inhibitor prior to re-pouring partial cap. Longitudinal cracking along vertical face of cap at property mid-point 17 LF +/- long with light rust stains.	Photo 3 Photo 4 Photo 5 Photo 6	3
3	9520 West Broadview Dr.(74)	Approximately 45 LF of the seawall cap near south end of property is delaminated. Extensive longitudinal cracking is present on the vertical face of the same area. Cracking continues into limits of the dock. Rust stains appear to be from a combination of corrosion of the reinforcing steel and ponding of sprinkler water. This area will require replacement. The dock is heavily damaged.	Photo 7 Photo 8 Photo 9	3
4	9520 West Broadview	Seawall cap appears to have been recently installed. No observed deficiencies.		1

Prepared by: Hardesty & Hanover, LLP
1

Town of Bay Harbor Islands
Seawall Inspection Report
Volume III

		At one location in the parking lot, there is a hole in the asphalt filled with stones. The seawall panels look good in the vicinity, but there is a storm drain outfall to the east of the depression which could be the source of soil loss. Two fence posts in front of reserved space 159 are not anchored.		
111	1155 103 Street	The vertical face of the seawall cap exhibits rust stains. There is transverse cracking of the seawall cap at the dock area. Several seawall panels are cracked just below the seawall cap at the west end of the property, the cap is completely delaminated along the wall at the same location, and there is no evidence of soil loss. Approximately 13 LF west of the dock is a cap repair is delaminated with a hairline longitudinal crack on the top face and a longitudinal crack on the vertical face.	Photo 400 Photo 401 Photo 402 Photo 403 Photo 404	3
112	1135 103 Street	The seawall cap exhibits longitudinal cracks on the vertical face with rust stains. The galvanized steel fence posts are core-drilled into the seawall cap and are corroding at the interface, causing longitudinal cracks on the top face. There is a delaminated portion of seawall cap measuring 7 LF in length located at the west end of the pool deck. A longitudinal crack on the top face delineates the limits and there is soil settlement immediately behind the cap. There is a hole just behind the seawall cap east of the pool deck. A small pvc pipe outfall is located in the area and the pipe might be collapsed or leaking, causing the hole. A seawall cap/ pile repair incorporating pneumatically placed concrete is delaminating located 1 pile west of dock. East of the dock is 7 LF long pneumatically applied concrete repair that is delaminating. There is a longitudinal crack on the vertical face with rust stains that defines the limits. There is also longitudinal cracking on the top face of the cap in the area as well as settlement of soil immediately behind the cap. There are several locations where the fence posts have 100% section loss and a base was retro fit onto the post. One of the retro-fit bases exhibits a spall 2 LF wide by 1 LF. One fence post is completely unanchored from the seawall cap and	Photo 405 Photo 406 Photo 407 Photo 408 Photo 409 Photo 410 Photo 411 Photo 412 Photo 413 Photo 414 Photo 415 Photo 416 Photo 417 Photo 418 Photo 419	3

Prepared by: Hardesty & Hanover, LLP
5

Cracks, Leaks and Piping




















ACCESSIBILITY

Roof Areas



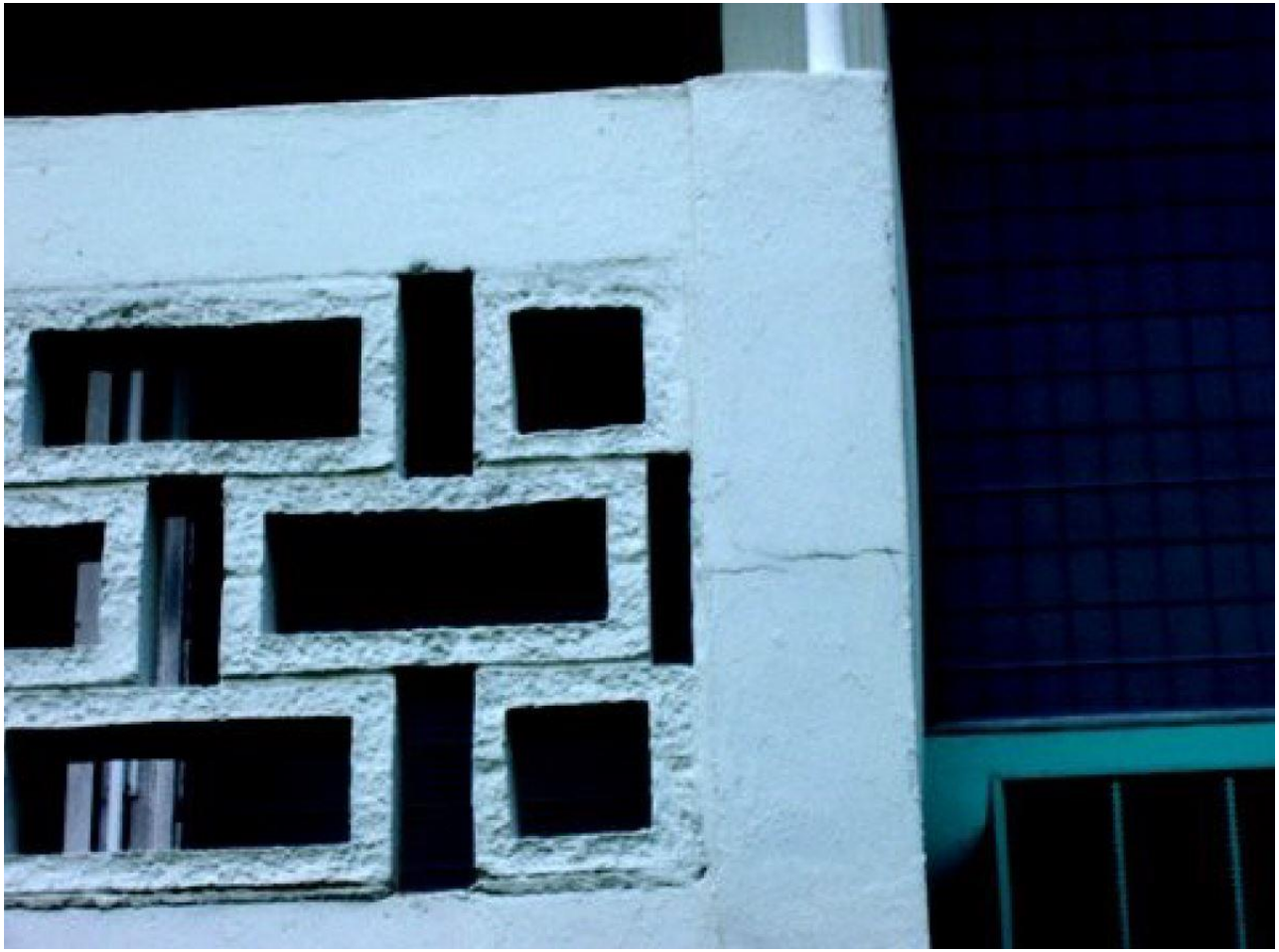


Roof Areas and Abandoned Water Tower

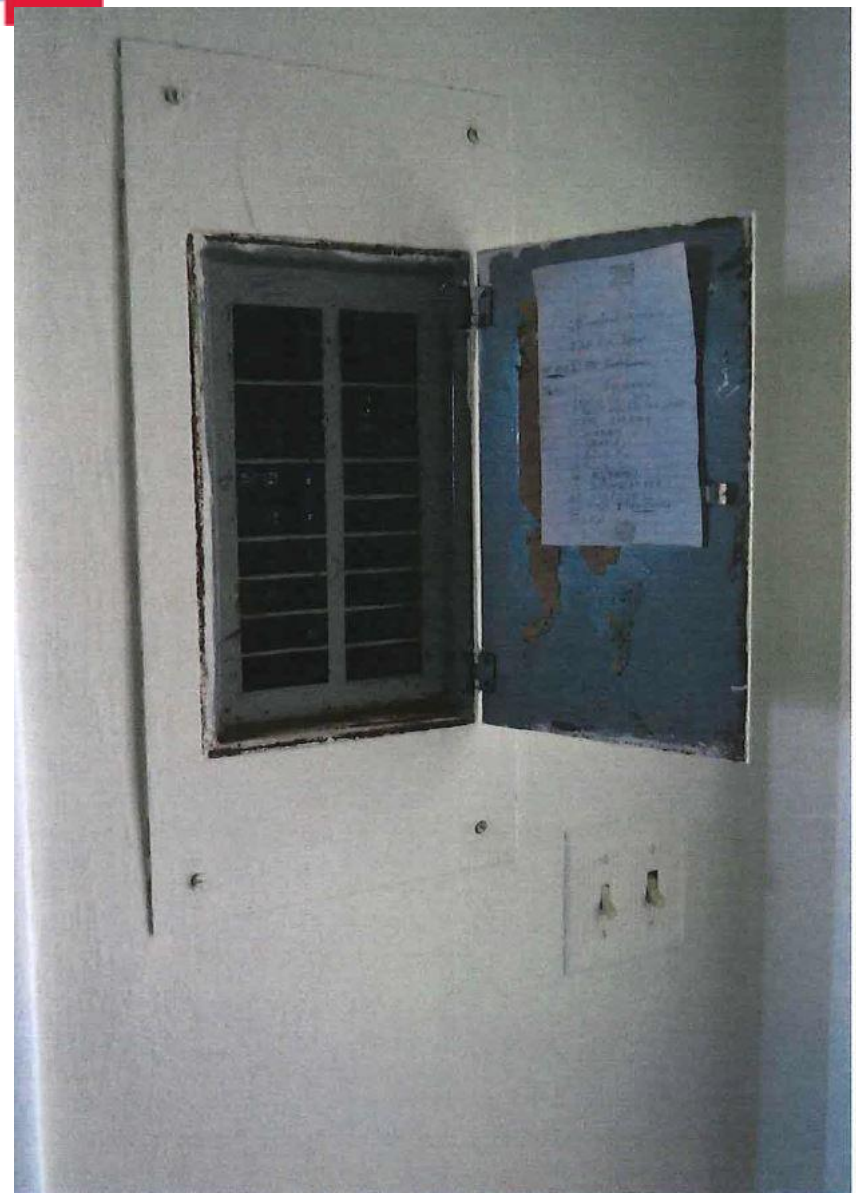




Cracks in Decorative Concrete Balcony



Electrical





Plumbing









Rusting and Corrosion





Rusting and Corrosion





Bay Harbor Continental Inc.

Value Impairment Analysis

Integra Realty Resources – Miami

Summary of Real Property Asset

- 1.13 Acres @ Northern Tip of Bay Harbor Island
- 35 units
  - (25) 1 BR Units (Approx. 750 SF each)
  - (10) 2 BR Units (Approx. 1,000 SF each)
- Cooperative Form of Ownership (shares, not units)
- Real Estate is the property of the entity
- Valuation is of the real property

Data Summary (See IRR Report)

- One Bedroom Units
  - 35 sales (2014-2015)$160/SF - $295/SF 700 – 1,000 SF Units
- Two Bedroom Units
  - 52 sales (2014-2015)$137/SF - $295/SF 850 – 1,900 SF Units
  - Subject One Bedroom $275/SF x 750 SF = **$206,250/Unit**
  - Subject Two Bedroom $275/SF x 1,000 SF= **$275,000/Unit**
  - Last (2) subject sales - $215,500 (2 BR in 2012); **$200,000** (1BR in 2013)

Economic Hardship

Potential Economic Hardship Analysis (Bay Harbor Continental Inc.)							
Unit Type	**No. of Units**	**Total Size (SF)**	**No. of Shares**	**IRR-Miami Pricing ($/SF)**	**Aggregate Pricing**	**Implied Price $/Unit**	**Implied Price $/Share**
1-Bedroom	25	18,750	262	$275	$5,156,250	$206,250	$19,680
2-Bedroom	10	10,000	135	$275	$2,750,000	$275,000	$20,370
	35		397		**$7,906,250**	**$225,893**	**$19,915**
				Current Purchase Contract:	$16,500,000	$471,429	$41,562
				***Potential Economic Hardship:**	**($8,593,750)**	**($245,536)**	**($21,647)**
***Does not account for additional economic hardship imposed by existing deferred maintenance.**							
***Does not inlcude any negative tax implications to the shareholders resulting from the sale of the cooperative.**							

Economic Hardship Considerations

- Current Value does not take into account upcoming recertification
- Current Value does not explicitly account for $3.5 Million in deferred maintenance.
- Max TDR Contribution offers only $142,500+/- in value (not adjusted for costs)
- As-Is Value could erode further over time as asset is wasting
- Historic Designation could make repairs more costly

Videos

- Bay Harbor Island Town Council Meeting
- http://bayharborislandsfl.suiteonemedia.com/Web/Player.aspx?id=59&key=-1&mod=-1&mk=-1&nov=0

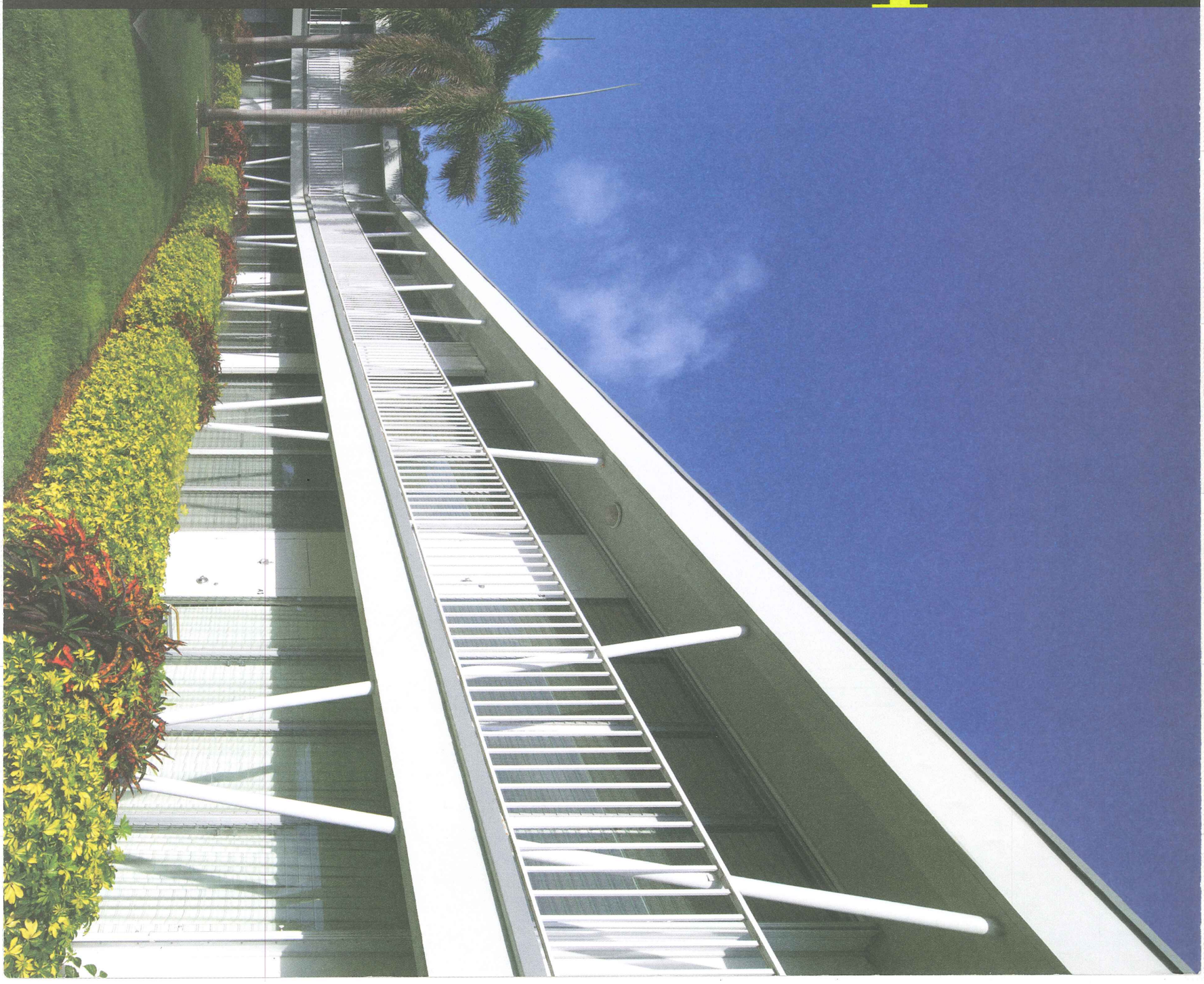
Conclusion

- **Owner, Majority of Residents and Town AGAINST designation**
- **Abuse of Process**
- **Economic Hardship**

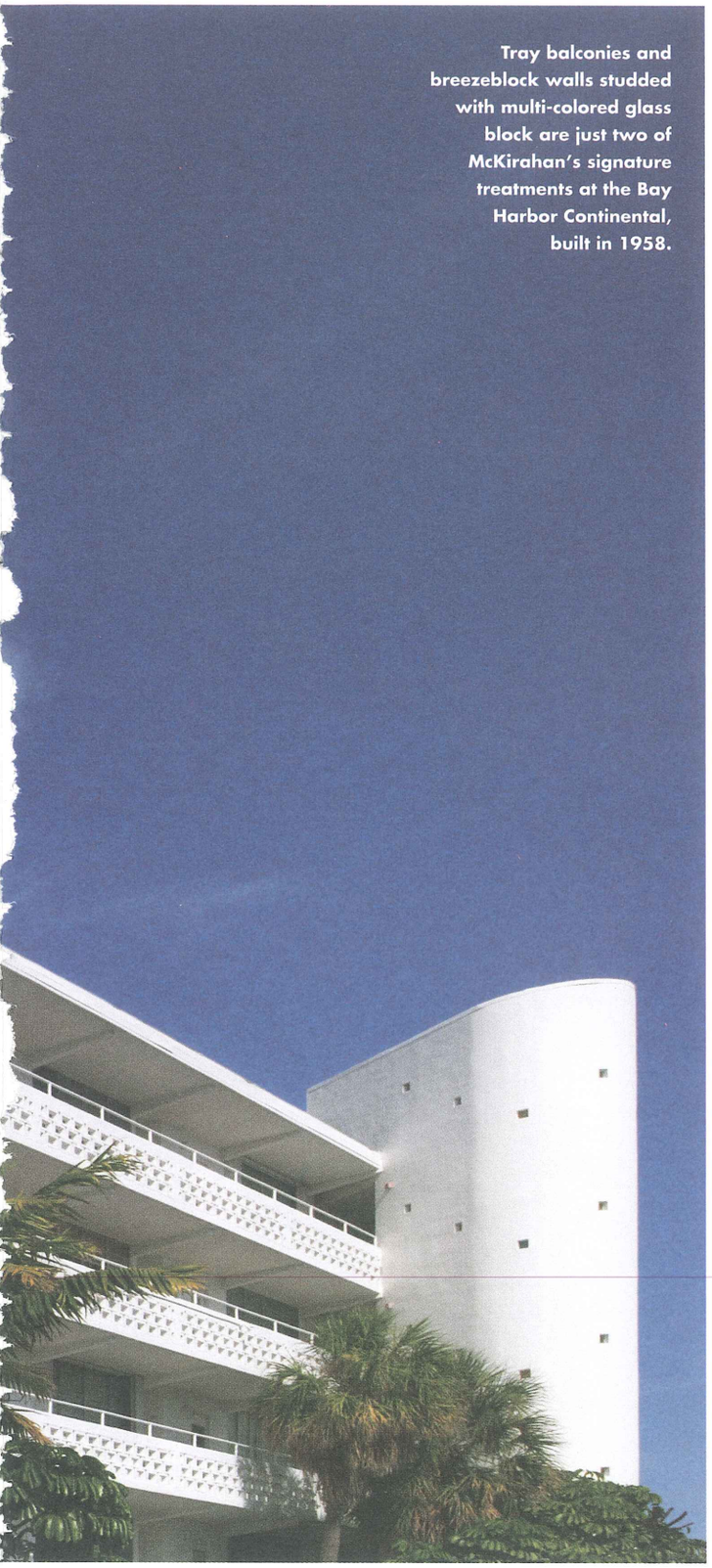


Tropic

FLORIDA LIVING & DESIGN | APRIL, 2015




B A C



Tray balconies and breezeblock walls studded with multi-colored glass block are just two of McKirahan's signature treatments at the Bay Harbor Continental, built in 1958.

UNCOVERING McKIRAHAN

A South Florida Supernova may — finally — be getting some recognition.

Text John T. O'Connor **Photos** Robin Hill

DESPITE ITS OFTEN-GLOWING REPUTATION, the 1950s weren't always so "fabulous." In fact, 1958 especially was not a good year for the United States. More than a decade of post-war prosperity came to a crashing end. Unemployment hovered at seven percent. And, even worse, teen idol/singer Elvis Presley was drafted into the U.S. Army! President Dwight D. Eisenhower found himself commanding a country experiencing its first major recession since the Great Depression.

In the state of Florida, which had grown tremendously following the Second World War, the economic outlook was slightly sunnier. At the time, the chief employer was the commercial airline industry, which began shuttling tourists in and out of the state year-round. Enterprises devoted to cement and even armaments were thriving as well.



Shimmering like water in a Florida swimming pool, embedded glass blocks are set randomly in screenblock walls at McKirahan's Bay Harbor Continental.

Florida's prosperity rained down on many. And in 1958, the architect Charles F. McKirahan was one of the fortunate ones. He had arrived in South Florida with his then-wife, Lucille, also an architect, nearly a decade before. After a brief stint as chief draftsman in the office of Gamble, Pownall & Gilroy and a few years working with a partner, McKirahan, in 1953, launched his solo career as an architect in South Florida and beyond. The war was a dark relic of the past. Americans were looking squarely toward a brighter future. In Florida, plenty of vacant land was ready to accommodate the droves of eager vacationers who needed places to stay and play, plus the masses of would-be homeowners anxious for a place to settle down. McKirahan was ready to oblige.

Not a pure modernist by any means, McKirahan would create sleek modern structures tailored to the local, subtropical environment with his personal, whimsical touches. A building was thoughtfully and artfully sited on a lot to take maximum advantage of bright sunlight, fresh air and stunning views. Floor-to-ceiling glass, in the form of sliding glass doors or banks of operable jalousie windows, often took the place of a solid exterior wall. Cast concrete screen block in a variety of shapes would add embellishment and provide protection from the elements. A structure's spatial organization would promote easy access and circulation.

Although innovative designs were crucial to drumming up business, compelling visuals were paramount as well. McKirahan's spouse, Lucille, was renowned for creating impressive renderings that would help clinch the job. And soon the list of McKirahan-designed projects began to multiply at a dizzying rate.

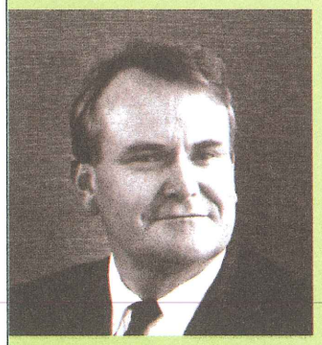
Initially, smaller structures like Fort Lauderdale's Manhattan Tower, complete with a unique jungle gym/bird cage stairwell, sprouted up in 1953 as a corporate retreat for General Motors executives. A few years later,

Currently, the Bay Harbor Club and Bay Harbor Continental are being considered for historic designation by the Miami-Dade County Historic Preservation Board. Charles F. McKirahan, their architect, died in 1964 at age 44, leaving behind "an astounding legacy of architectural masterpieces."

McKirahan became the go-to architect for the powerful, prolific developer, Coral Ridge Properties, which grew to own a $50 million portfolio of land in Broward County. It seemed nearly anything with the name Coral in it was his design: Coral Ridge Country Club, Coral Ridge Yacht Club, Coral Ridge Towers, the list goes on.

It is fair to say that other than his prodigious talent, McKirahan had incredible luck. South Florida at midcentury was exactly the right place for a daring, young architect. Modern life was being re-defined. Home own-

CITIZEN McKIRAHAN



Born in March of 1919 in Tulsa, Oklahoma, the architect Charles Foster McKirahan may have anticipated another famous "Charles Foster," the protagonist of the film *Citizen Kane*, by 22 years, but oddly they did share some similarities aside from their name. Like the cinematic character, McKirahan was "bigger than life" says Lucy Hodges Weber, who at age 8 became one of the architect's four stepchildren when he married their mother, MaryLou Hodges, in 1960. McKirahan also built his own version of Xanadu during his second marriage. However, his expansive modern manse with a distinctive folded-plate roof was more modest and set on a waterfront lot in Fort Lauderdale's Harbor Beach neighborhood. The parallels end there, because unlike the fictional mogul, McKirahan's time on earth was brief and much less fraught with regret.

Charismatic and gregarious, the over 6-foot-tall redhead was a 1946 graduate of the University of Illinois. There he met fellow architecture student, Lucille Woodland. They married in 1941 and had two sons, Charles, Jr. (now deceased) and Robert. Studies and marriage were interrupted by the three years McKirahan spent in the U.S. Army Corps of Engineers during World War II, working in Japan, Hawaii, Australia, Guam, and the South Pacific. That experience would profoundly influence him and his future architectural output.

Eventually, his firm boasted 100-plus employees and satellite offices in the Bahamas, Brazil, and Chicago, but McKirahan still made time for his children, whether carting them to the local drive-in restaurant for a burger or driving his oldest stepson to school in Boca Raton each morning. "He really connected with people and was a lot of fun," says Robert McKirahan, his youngest son. His sense of humor was relentless too. Weber recalls his office on Oakland Park Boulevard having a two-story, screened-in enclosure that housed a flock of birds, including a toucan.

Sadly, Charles F. McKirahan died suddenly on Wednesday, February 12, 1964. Driving his Chrysler Station Wagon on the Florida Turnpike, he lost control of the car, jumped a guardrail, and collided with a post supporting an overpass. His family had moved into the new house he had designed for them just two months earlier. He was 44 years old and his career was at its height. Fifty-one years after his death, his work still speaks to us. —NK



Similar to McKirahan's Bay Harbor Club in Bay Harbor Islands is his earlier Bay Club on Yacht Club Boulevard in Fort Lauderdale. Both feauture V-shaped bean-poles and walls of floor-to-ceil-ing jalousie glass windows.

ership, with its nagging responsibilities, wasn't everyone's dream. A novel, carefree model of living was being touted via a new building type: co-operative apartments. Co-ops, as they are known, are said to have originated in New York City and were introduced to South Florida in the late 1940s. In a co-op, as opposed to a condominium, a homeowner does not own his or her physical apartment. He or she, along with neighbors, becomes a shareholder in a corporation that owns the entire building. Shareholders (the larger the apartment, the more shares allotted) are entitled to a proprietary lease in the building and can get a series of tax breaks that condo owners don't enjoy.

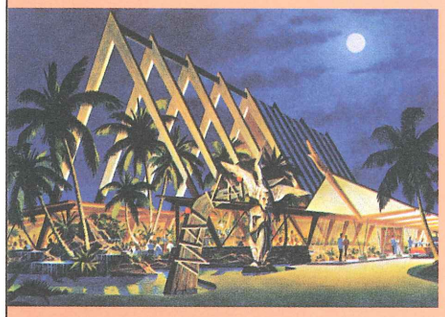
Co-ops and Charles F. McKirahan arrived in South Florida just about simultaneously. Also around that time, a few miles south of Fort Lauderdale, attorney Shepard Broad and his business partner, Benjamin Kane, were creating a 300-acre, two-island town in Biscayne Bay from a former mangrove swamp dubbed Bailey's Island. Incorporated in 1947, Bay Harbor Islands was located north of Indian Creek Island and west of Bal Harbour and Surfside. Wisely planned, it would consist of single-family homes exclusively on its West Island and multi-family units, a school, and a small business district on its East Island.

By the mid-1950s, Bay Harbor's East Island was nearly built-out. Modestly scaled garden apartments occupied its center, and taller, more majestic structures were placed on its northern and southern tips so as not to impede views and cast unwanted shadows. Careful consideration was given to the placement of a structure on a lot, allowing for green space in front of and around the property, ample parking areas, and a comfortable distance between buildings. The co-ops and condos were created by an array of internationally known architects, among them Morris Lapidus, Igor Polevitzky, Norman Giller, Melvin Grossman, and Charles F. McKirahan.

Airy, lighthearted, and intentionally welcoming the outdoors, Bay Harbor Club, Bay Harbor Towers, and the Bay Harbor Continental embody the exuberant elegance that had become McKirahan's trademark.

Briefly lured south, McKirahan designed a trio of co-ops on the East Island: the Bay Harbor Club, Bay Harbor Towers, and the Bay Harbor Continental. Airy, lighthearted, and intentionally welcoming the outdoors, all three dwellings embody the exuberant elegance that had become McKirahan's trademark. They were completed from 1956 to 1958, respectively, the final structure, the jaunty Bay Harbor Continental, debuting during the gloomy U.S. recession of 1958. Just a year earlier, in 1957, the 10-year-old town seemed concerned enough about its quality of life that it retained the architect and planner Robert Fitch Smith as a consult-

OH MY, MAI-KAI



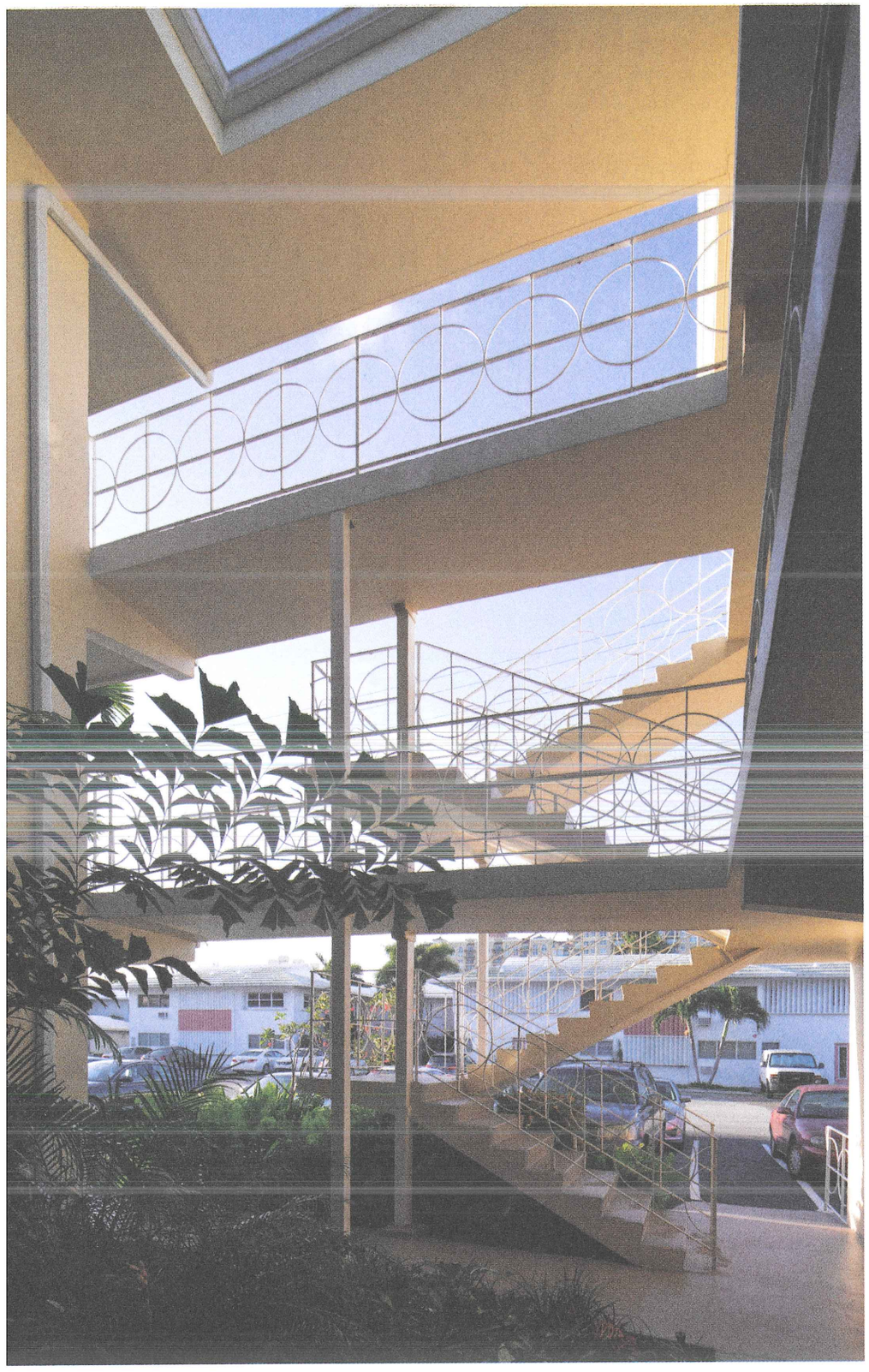
A few days after Christmas in 1956, the city of Fort Lauderdale, and the world, received a slightly belated but very welcome gift. Encased in a rattan and bamboo shell, embellished with greenery, and soaked in alcohol, it wasn't yet another holiday fruitcake but something infinitely more appealing: The Mai-Kai, South Florida's premiere Polynesian showplace. Complete with sultry dancing maidens, menacing torch-wielding warriors, lush gardens, tasty cuisine, and potent cocktails, the dazzling restaurant was the realized dream of brothers Bob and Jack Thornton.

The architect charged with making the brothers' vision tangible was Fort Lauderdale's Charles F. McKirahan, a perfect choice. A veteran of World War II, he had been stationed in the Pacific and absorbed plenty of design lessons during his three years overseas. From the peaked roofs of Coral Ridge Country Club and the Coral Cove co-ops to the enormous pagoda gate and fretwork balustrades of the Castaways hotel, McKirahan often added stylish subtropical chinoiserie accents to his modern structures, making it very clear that Bali Ha'i was still calling him.

In 1959, another tiki-themed restaurant project landed in McKirahan's lap, and he designed the South Pacific in nearby Hallandale. "America's most exotic and glamorous Polynesian restaurant and village," as it called itself, lasted a mere 16 years. A fraction of time compared to the Mai-Kai, which always seemed close to McKirahan's heart.

"We used to go out to dinner, mostly on Sundays, and a lot of times we went there," recalls Lucy Hodges Weber, the architect's stepdaughter. "For kids it was a really cool place." For many adults it still is. Like her stepbrother, Robert McKirahan, who, when visiting from his home in Las Vegas, makes sure to stop by and see friends such as Angel Vega, a 50-year veteran of the establishment, and enjoy his favorite Black Magic cocktail in the Molokai Bar.

Although the Mai-Kai was expanded more than once since its 1956 opening, its singular status as one of the last of its kind helped earn it a prestigious listing in the National Register of Historic Places in late 2014. But a recent discovery in a warehouse filled with Mai-Kai artifacts shows that the idea of multiple Mai-Kais entered someone's mind at some point. Stuffed into a barrel were plans drawn by Charles F. McKirahan for a Mai-Kai in New York City, located on East 57th Street. The date: 1960. Just imagine, Manhattans served in a coconut-shell mug! —NK



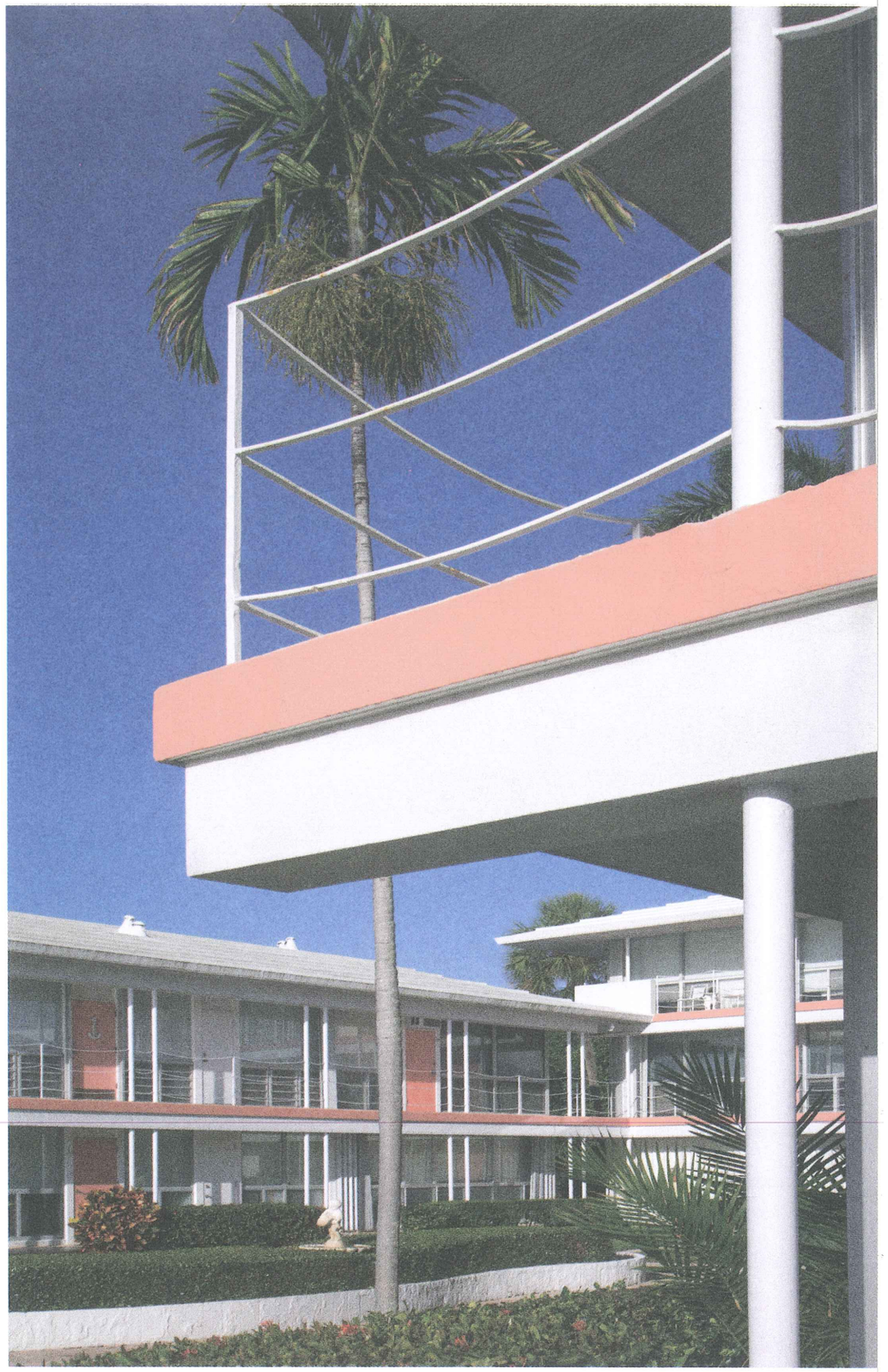
McKirahan's designs for Sunrise Bay Club in Fort Lauderdale feature floating staircases, suspended walkways and custom-designed, wrought-iron railings of the architect's design.

ant. His job was to examine land use and zoning ordinances, plus make recommendations on building heights and the type of structures compatible with the town.

Such worries seem almost quaint now and are a stark contrast to the Bay Harbor Islands of today. Amid an overheated real estate market, little mind is being paid to planning in the town. New buildings are being erected at a breakneck pace. Most are incompatible with the existing architecture, meaning they are either too tall, too dense, take up nearly every inch of their lot, or all of the above. A local government-run program allowing the selling of air rights (also known as transfer of development rights, or TDRs) is being sorely mishandled, resulting in a mish-mash of tall and small buildings alongside each other.

Being demolished just as quickly are original structures which have little protection. The government of Bay Harbor Islands itself does not administer an historic preservation program to shield its worthy structures, and it frequently opposes any effort by others — like Miami-Dade County, under whose jurisdiction it falls on these matters, or the National Trust for Historic Preservation which placed the East Island on its 2014 list of America's 11 Most Endangered Historic Places — to preserve its irreplaceable buildings. Numerous studies have repeatedly shown that historic designation of a property only raises its market value. A legitimate TDR program allows the owner of a historically designated property (donor) to sell its air rights to a developer (receiver); however, the receiving property is always miles away from the donor, not next door or down the block. The money earned from

Bean poles, nautical railings and elegant Bermuda roofs are some of the signature details McKirahan employed 17 individual buildings at the exquisite Coral Cove Club on Yacht Club Boulevard.



the sale is supposed to be used to refurbish the historic building, helping to maintain the character of the area in which it exists. (The enlightened owners of the Vagabond hotel in Miami's MiMo/Biscayne Boulevard Historic District have used TDRs to great effect.)

The enlightened owners of the Vagabond hotel in Miami's MiMo/Biscayne Boulevard Historic District have used a Transfer of Development Rights program or TDRs to great effect. Wouldn't it make sense to use those very programs to preserve many of Fort Lauderdale's most important structures?

Currently, the Bay Harbor Club and Bay Harbor Continental are being considered for historic designation by the Miami-Dade County Historic Preservation Board. Charles F. McKirahan, their architect, died in 1964 at age 44, leaving behind "an astounding legacy of architectural masterpieces," says Diane Smart, former head of the Broward Trust for Historic Preservation. Historic designation would place clearly delineated limitations on any alteration or demolition of these buildings. Instead of wiping out vestiges of the past and ignoring lessons that could be learned from a highly successful planned community, developers could take heed and adaptively re-use historic structures. Sensitively incorporating the buildings or many of their design elements into new construction might result in something entirely unique, highly desirable, and as utterly indispensable as the original structures themselves.

Lisa Ellen Mann
1135 103 Street
Apartment G-3
Bay Harbor, FL 33154
lisa@lisaemann.com

11 June 2015

Honorable Chairman **MONASTIME**
The Board of the County Commission
Miami-Dade County, Florida

Subject: BAY HARBOR CONTINENTAL – my support of the building's Historic Designation.

Dear Honorable Chairman **MONASTIME** and the Board of the County Commission,

Thank-you for your kind time to read my letter SUPPORTING the HISTORIC DESIGNATION of my apartment building BAY HARBOR CONTINENTAL.

I own Unit G-3. I am currently being **SUED** by the developer, Mr. BUTONI of P-3 INVESTMENTS for voicing my SUPPORT of the Historic Designation of my apartment building.

My apartment is BEAUTIFUL and CANNOT be replaced for the price Mr. BUTONI is offering me. If I am forced to replace my apartment, I will HAVE an **ECONOMIC HARDSHIP**.





Sincerely,

By:_____
Lisa Mann
OWNER
Apartment **G-3**

John E. Timinsky
1135 103 Street
Apartment G-3
Bay Harbor, FL 33154
john@timinsky.com

28 June 2015

Honorable Chairman **MONASTIME**
The Board of the County Commission
Miami-Dade County, Florida

Subject: BAY HARBOR CONTINENTAL – my support of the building's Historic Designation.

Dear Honorable Chairman **MONASTIME** and the Board of the County Commission,

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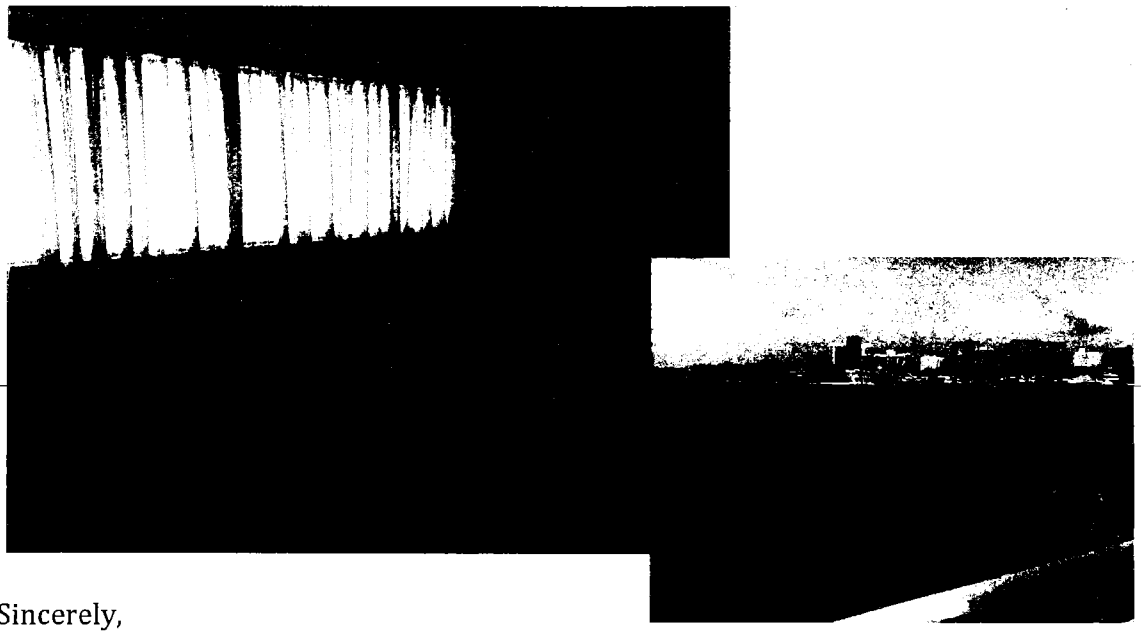

Sincerely,

By: _____
John Timinsky
CO-OWNER
Apartment **G-3**

Dear Miami Dade County Mayor and Commissioners:

I Sue Ann Olsen disagree with the below statements made by the appellants expert witness's in their analysis of the Bay Harbor Continental, designed by renown architect, Charles McKirahan.

- "the building is not a significant example of MiMo architecture"
- "McKirahan was actually not a prominent architect"
- "the characteristics are quite superficial and not particularly distinguishable"
- "the detailing on the building is common and un-original"

I believe this building represents significant Mid Century / MiMo Architecture in Dade County and is one of the best examples of the style in Bay Harbor Islands.

Please uphold the Miami Dade County's Historic Preservation board's designation of the Bay Harbor Continental. To over turn the designation would be irreversible and a detrimental loss for MiMo architecture in Miami Dade County, and especially for Bay Harbor Islands.

Thank you for your time and consideration of this important matter.

Sincerely,

Signature Sue Ann Olsen

Address 10261 E. Bay Harbor Dr 1100

Date 6/25/2015

My personal / professional interest in the matter is;

Preserve our unit in the Bay Harbor C.

Please return this email by June 27, 2015 to teri@dadausa.com or dgc223@gmail.com

Dear Miami Dade County Mayor and Commissioners:

I Richard H Olsen disagree with the below statements made by the appellants expert witness's in their analysis of the Bay Harbor Continental, designed by renown architect, Charles McKirahan.

- "the building is not a significant example of MiMo architecture"
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Thank you for your time and consideration of this important matter.

Sincerely,

Signature Richard H Olsen

Address 10211 E. BAY HARBOR

Date 06/25/2015

My personal / professional interest in the matter is;
As a concerned Resident + owner we/I want to PRESERVE the charming BAY HARBOR Continental. We as owners were all not given correct & Information when coherced to sign

Please return this email by June 27, 2015 to teri@dadausa.com or dgc223@gmail.com

Honorable Chairman Monastime and Board of County Commission:

I Mirta D. Selva, who am 84 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building.** Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

A large number of the board members (and unit owners) who have been working closely with P3 and have spoken about economic hardship have primary residences in New York, Canada, and California.

From the Historic Preservation Board Code Sec. 16A-4 Definitions.

(15) Undue economic hardship: Failure to issue a certificate would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.

Since the unit that I currently occupy constitutes my residence, I would be forced to look for another home after incurring taxes that would reduce the amount I would receive by forty percent. There has been much talk about a tax mitigation plan that would abrogate this amount; however, to date, the Board has not presented us with an IRS-approved tax mitigation plan. By the County's own definition, this lack of resources and the loss of my home would constitute "an onerous and excessive financial hardship".

Finally, on a note of posterity and legacy, it should be noted that Bay Harbor Continental is a beautiful classic MIMO building that should be preserved as such for future generations to enjoy. It was for this reason that Historic Preservation designated it as a historic building. For the sake of those currently living there and their children, please fight with us to uphold our historic designation and the spirit of posterity in which it was given.

Sincerely,

Mirta D. Selva

Print Name

_____

I Bettina Schweiger , who am 51 years old and an owner at 1135 103rd Street, do not want to give up my apartment and **support the historic designation of our building.**

I am against the appeal of the designation.

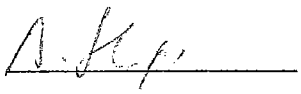
If forced to sell my property, after incurring taxes this would reduce the amount I would receive by fifty percent. Additionally, the added expense of real-estate-broker fees and lawyer-retainer fees would further reduce this already dwindling sum of money. By the County's own definition, this lack of resources and the loss of my property would constitute "an onerous and excessive financial hardship". If Bay Harbor Continental is allowed to be demolished, I will lose my property and be forced to endure exceptional undue hardship since I will not be justly compensated. A large number of the board members (and unit owners) who have been working closely with P3 and have spoken about economic hardship have primary residences in New York, Canada, California and elsewhere.

From the Historic Preservation Board Code Sec. 16A-4 Definitions.

(15) ***Undue economic hardship:*** ~~**Failure to issue a certificate**~~ **would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.**

Finally, on a note of posterity and legacy, it should be noted that Bay Harbor Continental is a beautiful classic MIMO building that should be preserved as such for future generations to enjoy. It was for this reason that Historic Preservation designated it as a historic building. For the sake of those currently living there and their children, please fight with us to uphold our historic designation and the spirit of posterity in which it was given.

Sincerely,



6/29/2015

Honorable Chairman Monastime and Board of County Commission:

I Daniel Schweiger , who am 56 years old and an owner at 1135 103rd Street, do not want to give up my apartment and support the historic designation of our building.

I am against the appeal of the designation.

If forced to sell my property, after incurring taxes this would reduce the amount I would receive by fifty percent. Additionally, the added expense of real-estate-broker fees and lawyer-retainer fees would further reduce this already dwindling sum of money. By the County's own definition, this lack of resources and the loss of my property would constitute "an onerous and excessive financial hardship". If Bay Harbor Continental is allowed to be demolished, I will lose my property and be forced to endure exceptional undue hardship since I will not be justly compensated. A large number of the board members (and unit owners) who have been working closely with P3 and have spoken about economic hardship have primary residences in New York, Canada, California and elsewhere.

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Finally, on a note of posterity and legacy, it should be noted that Bay Harbor Continental is a beautiful classic MIMO building that should be preserved as such for future generations to enjoy. It was for this reason that Historic Preservation designated it as a historic building. For the sake of those currently living there and their children, please fight with us to uphold our historic designation and the spirit of posterity in which it was given.

Sincerely,



Honorable Chairman Monastime and Board of County Commission:

Jennifer Schmieder, who am 37 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

A large number of the board members (and unit owners) who have been working closely with P3 and have spoken about economic hardship have primary residences in New York, Canada, and California.

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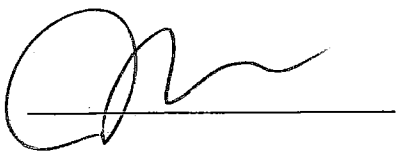
Sincerely,

Jennifer Schmieder

Print Name



Honorable Chairman Monastime and Board of County Commission:

I Florence Nehmad who am 86 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

FLORENCE NEHMAD 6/28/2015

Print Name

Florence Nehmad

Honorable Chairman Monastime and Board of County Commission:

I LEONOR KIRKSEY, who am 93 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

LEONOR KIRKSEY

Print Name

Leonor Kirksey

Honorable Chairman Monastime and Board of County Commission:

I Pascual Inamorato who am 64 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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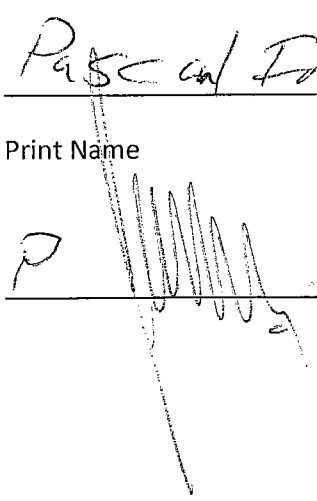
Sincerely,

Pascual Inamorato

Print Name



Honorable Chairman Monastime and Board of County Commission:

I Salomon Mehmad, who am 63 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building.** Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Salomon Mehmad

Print Name

Salomon Mehmad

Honorable Chairman Monastime and Board of County Commission:

I Carlos De la Torre, who am 48 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building.** Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Print Name

Carlos De la Torre

Honorable Chairman Monastime and Board of County Commission:

I Maurice Kotsay, who am 42 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Print Name

Maurice Kotsay

Honorable Chairman Monastime and Board of County Commission:

I Frances Griffith who am 81 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Frances Griffith

Print Name

Frances Griffith

Honorable Chairman Monastime and Board of County Commission:

I, JOAN CAREY, who am 58 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building.** Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Print Name

JOAN CAREY

Honorable Chairman Monastime and Board of County Commission:

I Adolfo Bear Leguí, who am 62 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Adolfo Bear Leguí

Print Name

ADOLFO BEAR LEGUÍ

Honorable Chairman Monastime and Board of County Commission:

I Amelia Boorlegui, who am 80 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building.** Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Amelia Boorlegui

Print Name

AMELIA BOORLEGUI

Honorable Chairman Monastime and Board of County Commission:

I Clara Reed, who am 66 years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building**. Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

Clara Reed

Print Name

CLARA REED

Honorable Chairman Monastime and Board of County Commission:

I Maria Maldonado, who am _____ years old and a resident at 1135 103rd Street, do not want to leave my home and **support the historic designation of our building.** Further, **I am against the appeal of the designation. If Bay Harbor Continental is allowed to be demolished, I will lose my home and be forced to endure exceptional undue hardship since I will not be justly compensated.** Additionally (and most seriously), I will never be able to replace my home with anything commensurate to my current residence.

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Sincerely,

_____

Print Name

_____

From: Arva Parks [mailto:arvamiami@bellsouth.net]
Sent: Tuesday, June 30, 2015 12:36 PM
To: District2; District3; District4; District5; District6; District7; District8; District10; Zapata; District12; District 13; Moss, Dennis C. (DIST9); District3; District4; District5; District6; District7; District8; District10; Zapata; District12; District 13; Moss, Dennis C. (DIST9); Mayor
Subject: Help!

Dear Honorable Mayor and Commissioners,

I write today to urge you in all sincerity to vote "No" on the appeal to "un-designate" the historic Bay Harbor Continental in Bay Harbor Islands, FL. As an historian and active preservationist, I need to remind everyone that when Barbara Capitman first proposed the importance of Art Deco architecture, everyone, including me, thought she was crazy. Once I saw the proposed district I realized immediately how important it was to preserve it. It became very apparent to me that time moves on and as a historian and preservationist, every era needs to be remembered for its distinctive contribution to history and place. Of course the Art Deco District also brought unprecedented economic prosperity to the area and became world famous. Miami Modern architecture is next. The Harbor Continental has been an icon of Miami Modern for many years. It appears in national publications. It must be preserved as an exemplary example of an era and place and most of all of the people who designed and built it. I am well aware of all the misinformation opponents spew over preservation issues. It has been going on for years. Fortunately, enlightened government leaders have been able to see through the lies and do what is best of South Florida and its people. We need to count on you this time too. Don't let developers who seek only to make money have the upper hand. Unfortunately, most come from someplace else and come to this unique place because we are different. We need to keep our architectural heritage alive. We don't want to be someplace else. Thanks for your support,
Arva Moore Parks

THORN GRAFTON, ARCHITECT, AIA, LEED AP

June 28, 2015

Re: Letter in support of maintaining the Historic Preservation designation of the Bay Harbor Continental, 1135 103 Street, Bay Harbor Islands, FL.

Dear Miami-Dade County Mayor and Commissioners,

This is a letter of support for maintaining the historic designation of the Bay Harbor Continental - I'm unable to attend the hearing, otherwise I would convey in person my sense of its important architectural and cultural significance to Miami-Dade County.

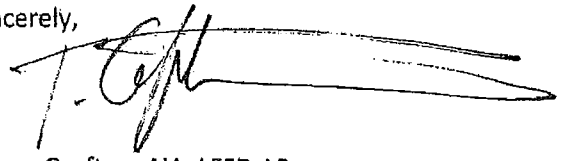
I'm an architect based in Miami-Dade County practicing here for over 35 years, and who grew up in a family of local pioneers and architects. I have been fortunate to work on over two hundred projects, both historic and new buildings, large and small. I've learned important lessons about the value of and meaning of the architectural continuum in our County's neighborhoods.

The Bay Harbor Continental is the quintessential post-war modern bayside apartment building. The Architect, Charles McKirahan, was one of the very best at conveying the exuberance and joy of life in South Florida of in the 1950s and early 60s, as this building does so well. Previously famous for his design of exotic entertainment venues such as the Mai-Kai and Castaways, appreciation of his work is now accelerating as a master of whimsy and fun in mid-century design for a variety of building types. McKirahan's collection of mid-century buildings are mostly in Broward, yet perhaps his two best Miami-Dade apartment projects are the Bay Harbor Continental and the Bay Harbor Club next door. He was also the architect for the Vagabond Motel on Biscayne Blvd., the subject of a restoration making it the centerpiece of strong economic revitalization for that stretch of the Boulevard.

Please understand - neighborhoods that lose resources of this caliber and significance lose long-lasting economic (and social) value. Quality new development is important, as long as considers its site, neighboring properties and community. Bay Harbor Islands needs to retain some sense of its own history - so many other County neighborhoods have embraced theirs and have seen overall property values rise. Saving this eminently historic building will create a balance in scale and in value - enhancing the built environment for the neighborhood's continuing new construction.

The economics of historic restoration are easy to inflate, in an effort to clear a building site. I will not lowball any specific current needs of the building which I have not carefully studied, but based on the building's observed condition and many similar examples, there are local developers who could save this building while making it an economic success. **It is now up to your wisdom and vision to recognize that the intrinsic value of saving this building far outweighs its demolition and replacement.**

Sincerely,



Thorn Grafton, AIA, LEED AP

2814 CHUCUNANTAH ROAD, MIAMI, FL 33133 305-772-1070
FL REGISTERED ARCHITECT #8200 tgrafton@zyscovich.com

RECEIVED
JUN 22 2015
MIAMI-DADE COUNTY
OFFICE OF HISTORIC PRESERVATION

RESOLUTION NO. 2053

A RESOLUTION OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, SUPPORTING BAY HARBOR CONTINENTAL, INC. IN ITS APPEAL OF THE APRIL 15, 2015 DECISION OF THE MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD TO DESIGNATE THE PROPERTY AS A HISTORIC SITE.

WHEREAS, Bay Harbor Continental, Inc., a Delaware corporation, is the owner in fee simple of the property located at 1135 103rd Street, Bay Harbor Islands, Florida (the "Property"), which is currently improved with a 35-unit multifamily residential building constructed in 1958 (commonly referred to as the "Bay Harbor Continental"); and

WHEREAS, on April 15, 2015, the Miami-Dade County Historic Preservation Board ("HPB"), approved Resolution No. 2015-06, designating the Property as a historic site; and

WHEREAS, the building and the Property are owned and have continuously been owned since 1958 singularly by Bay Harbor Continental, Inc. as a cooperative formed under Chapter 719, Florida Statutes, whereby residents are individual shareholders in the corporation and have a leasehold interest in their units; and

WHEREAS, Bay Harbor Continental, Inc. formally opposed the HPB's designation of the Property; and

WHEREAS, a clear majority of the individual shareholders of Bay Harbor Continental, Inc. submitted written objection to the HPB's designation of the Property; and

WHEREAS, despite these objections and evidence of significant economic hardship on Bay Harbor Continental, Inc. and particularly many of its elderly residents if the building were to be designated, the HPB designated the Property against the will of the owner of the Property and a clear majority of its resident shareholders; and

WHEREAS, Bay Harbor Continental, Inc. filed an appeal dated May 5, 2015, requesting relief from the Miami-Dade County Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands that:

1. The Town Council of the Town of Bay Harbor Islands hereby supports Bay Harbor Continental, Inc. in its appeal of Resolution No. 2015-06; and

2. The Town Council requests that the Board of County Commissioners grant the appeal and overturn the April 15, 2015 decision of the HPB to designate the building as a historic site.

PASSED AND ADOPTED this 8th day of June, 2015.

MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO FORM:

Assistant **TOWN ATTORNEY**

CLARA KEED

JOINDER TO SELL

CONSENT AND JOINDER IN THE SALE OF THE COOPERATIVE PROPERTY OWNED BY BAY HARBOR CONTINENTAL, INC. TO P3 INVESTMENT I, LLC AND AMENDMENTS TO THE BY-LAWS OF BAY HARBOR CONTINENTAL, INC.

The undersigned, being owner(s) of all of the right, title and interest in, and right of occupancy of **Unit D-3** of Bay Harbor Continental, a Cooperative owned and operated by Bay Harbor Continental, Inc., a Delaware not-for-profit corporation, by execution of this Consent and Joinder do(es) hereby approve and consent to, and join in, the sale of the cooperative property owned by the Association and all right, title and interest in all of the units, including the Unit described above to P3 Investment I, LLC, a Florida limited liability company, pursuant to that certain contract between the Association and P3 Investments, LLC with an effective date of March 27, 2014 for the purchase price of $16,500,000.00. The undersigned also does approve and consent to, and join in, the amendment of the Amended and Restated By-Laws of the Association in the form attached hereto and made a part hereof as Exhibit "A."

The undersigned acknowledges that the right to use, possess and occupy the Unit by the undersigned shall cease as of the date of closing. Any occupancy of the Unit following the date of closing can only be pursuant to a post-closing lease agreement that the undersigned enters into directly with the Buyer. The Association is not a party to any post-closing lease agreement, and the opportunity to enter into a post-closing lease agreement is an accommodation offered by the Buyer to and for the benefit of the Unit owners. The form of the post-closing lease agreement is attached hereto in draft as Exhibit "B," and provides, in part, for rental of a Unit at a a rental rate equal to $100.00 per share per month, based upon the number of shares allocated to the undersigned's Unit. The undersigned further acknowledges and confirms its understanding that it will have no right to the continued use, possession or occupancy of the Unit as of the date of the closing *unless* a post-closing lease is executed and delivered to the Buyer on or before June 10, 2014; if a post-closing lease agreement is not executed and delivered to the Buyer by June 10, 2014, the undersigned represents and warrants to the Association that it will surrender vacant possession of the Unit on the date of closing. The undersigned

☑ **Does**

☐ **Does Not**

BECKY MCGUIRE

have an interest in discussing with the Buyer terms for their use, occupancy and possession of the Unit after the date of closing pursuant to a post-closing lease agreement with the Buyer. **[It is understood that, notwithstanding any election made as to post-closing occupancy, a post-closing lease agreement must be executed and delivered prior to June 10, 2014.]**

Dated 4/5, 2014.

Clara Reed

Clara Reed

STATE OF Florida)
) SS
COUNTY OF Dade)

The foregoing was acknowledged before me this 5 day of April, 2014, by **Clara Reed**, who is/is not personally known to me, and who produced 396 726 124 as identification and who did take an oath.

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

NOTARY PUBLIC
Lynne O'Halpin
Printed Name of Notary

My Commission expires: 5/16/15

ACTIVE: 5611910_1

SAZOMON NEHMAD
JOINDER TO
SELL

CONSENT AND JOINDER IN THE SALE OF THE COOPERATIVE PROPERTY OWNED BY BAY HARBOR CONTINENTAL, INC. TO P3 INVESTMENT I, LLC AND AMENDMENTS TO THE BY-LAWS OF BAY HARBOR CONTINENTAL, INC.

The undersigned, being owner(s) of all of the right, title and interest in, and right of occupancy of **Unit D-1** of Bay Harbor Continental, a Cooperative owned and operated by Bay Harbor Continental, Inc., a Delaware not-for-profit corporation, by execution of this Consent and Joinder do(es) hereby approve and consent to, and join in, the sale of the cooperative property owned by the Association and all right, title and interest in all of the units, including the Unit described above to P3 Investment I, LLC, a Florida limited liability company, pursuant to that certain contract between the Association and P3 Investments, LLC with an effective date of March 27, 2014 for the purchase price of $16,500,000.00. The undersigned also does approve and consent to, and join in, the amendment of the Amended and Restated By-Laws of the Association in the form attached hereto and made a part hereof as Exhibit "A."

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☑ **Does** Wants to stay 2 months

☐ **Does Not**

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Dated 5/20, 2014.

Salomon Nehmad

Salomon Nehmad

STATE OF Florida)
) SS
COUNTY OF Miami-Dade)

The foregoing was acknowledged before me this 20 day of MAY, 2014, by **Salomon Nehmad**, who is/is (not) personally known to me, and who produced FL DL N530-780-31-467-0 as identification and who did take an oath.

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

Lynne O'Halpin
NOTARY PUBLIC
LYNNE O'HALPIN
Printed Name of Notary

My Commission expires:
5/16/15

ACTIVE: 5611981_1

CARLOS DE LA TORRE

JOINDER TO SELL

CONSENT AND JOINDER IN THE SALE OF THE COOPERATIVE PROPERTY OWNED BY BAY HARBOR CONTINENTAL, INC. TO P3 INVESTMENT I, LLC AND AMENDMENTS TO THE BY-LAWS OF BAY HARBOR CONTINENTAL, INC.

The undersigned, being owner(s) of all of the right, title and interest in, and right of occupancy of **Unit G-1** of Bay Harbor Continental, a Cooperative owned and operated by Bay Harbor Continental, Inc., a Delaware not-for-profit corporation, by execution of this Consent and Joinder do(es) hereby approve and consent to, and join in, the sale of the cooperative property owned by the Association and all right, title and interest in all of the units, including the Unit described above to P3 Investment I, LLC, a Florida limited liability company, pursuant to that certain contract between the Association and P3 Investments, LLC with an effective date of March 27, 2014 for the purchase price of $16,500,000.00. The undersigned also does approve and consent to, and join in, the amendment of the Amended and Restated By-Laws of the Association in the form attached hereto and made a part hereof as Exhibit "A."

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☐ **Does Not**

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Dated April 5, 2014.

Carlos Alberto
Carmen De La Torre

STATE OF Florida)
) SS
COUNTY OF DAC)

Carlos Alberto The foregoing was acknowledged before me this 5 day of April, 2014, by ~~Carmen De La Torre~~, who is/is not personally known to me, and who produced D436 101 66 460-0 as identification and who did take an oath.

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

Lynne O'Halpin
NOTARY PUBLIC
Lynne O'Halpin
Printed Name of Notary

My Commission expires: 5/16/15

FRANCIS GRIFFITH

JOINDER TO SELL

CONSENT AND JOINDER IN THE SALE OF THE COOPERATIVE PROPERTY OWNED BY BAY HARBOR CONTINENTAL, INC. TO P3 INVESTMENT I, LLC AND AMENDMENTS TO THE BY-LAWS OF BAY HARBOR CONTINENTAL, INC.

The undersigned, being owner(s) of all of the right, title and interest in, and right of occupancy of **Unit C-3** of Bay Harbor Continental, a Cooperative owned and operated by Bay Harbor Continental, Inc., a Delaware not-for-profit corporation, by execution of this Consent and Joinder do(es) hereby approve and consent to, and join in, the sale of the cooperative property owned by the Association and all right, title and interest in all of the units, including the Unit described above to P3 Investment I, LLC, a Florida limited liability company, pursuant to that certain contract between the Association and P3 Investments, LLC with an effective date of March 27, 2014 for the purchase price of $16,500,000.00. The undersigned also does approve and consent to, and join in, the amendment of the Amended and Restated By-Laws of the Association in the form attached hereto and made a part hereof as Exhibit "A."

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☒ **Does**

☐ **Does Not**

Dorothy McGillen

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Dated 4/5, 2014.

Frances M Griffith

Frances M. Griffith

STATE OF Florida)
) SS
COUNTY OF Dade)

The foregoing was acknowledged before me this 5 day of April, 2014, by **Frances M. Griffith**, who is/is not personally known to me, and who produced DL# G613240286340 FL as identification and who did take an oath.

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

Lynne O'Halpin
NOTARY PUBLIC
Lynne O'Halpin
Printed Name of Notary

My Commission expires: 5/16/15

ACTIVE: 5612032_1

CLERK OF THE BOARD
2015 JUN 30 AM 8:04
COUNTY, FLA.

June 2015

Honorable Mayor Carlos Gimenez
Miami-Dade County Board of County Commissioners
Stephen P Clark Center
111 NW 1st Street, Suite#17-202
Miami, FL 33128

RE: Bay Harbor Continental – 1135 103rd Street, Bay Harbor Islands, Florida
Appeal of Resolution No. 2015-06

To the Board of County Commissioners:

I am a shareholder in the Bay Harbor Continental, Inc. and a unit owner at the above address and location.

At the April 15, 2015, the County's Historic Preservation Board voted to designate the Bay Harbor Continental.

I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property interests. I fully support the appeal filed by Bay Harbor Continental, Inc. on May 5, 2015.

I request that you grant the appeal and overturn the designation.

Respectfully,

Kathleen Weinstein A-4

Name

A-4

Unit

From: Rocklin Neal C. [mailto:ncr39@yahoo.com]
Sent: Tuesday, June 30, 2015 11:00 AM
To: District1; District2; District3; District4; District5; District6; District7; District8; District10; Zapata; District12; District 13; Moss, Dennis C. (DIST9); Mayor
Subject: Support for New Development

I was made aware of the movement to try to maintain Historic Buildings…specifically in Bay Harbor.
As a long time investor, and current home owner in Bay Harbor, I feel that what you are doing is correct.
As I am almost 60 years old, I have seen the attempt to save Historic buildings or parts there of….
and it always ends up as the biggest eye sore in the neighborhood.
Unfortunately, those who speak for maintaining Historic Buildings, have minimal vested interest in the neighborhood,
and are doing it to maintain low rents, regardless the negative impact of the area.

I support your want for new development that also provides for safer construction as well.

Neal Rocklin
ncr39@yahoo.com
305-323-9900

From: Rocklin Neal C. [mailto:ncr39@yahoo.com]
Sent: Tuesday, June 30, 2015 11:00 AM
To: District1; District2; District3; District4; District5; District6; District7; District8; District10; Zapata; District12; District 13; Moss, Dennis C. (DIST9); Mayor
Subject: Support for New Development

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As a long time investor, and current home owner in Bay Harbor, I feel that what you are doing is correct.
As I am almost 60 years old, I have seen the attempt to save Historic buildings or parts there of….
and it always ends up as the biggest eye sore in the neighborhood.
Unfortunately, those who speak for maintaining Historic Buildings, have minimal vested interest in the neighborhood,
and are doing it to maintain low rents, regardless the negative impact of the area.

I support your want for new development that also provides for safer construction as well.

Neal Rocklin
ncr39@yahoo.com
305-323-9900

Exhibit

Cross Examination
Carlos De la Torre

HPB att. Designation
"2010"

OPPOSITION TO HISTORIC DESIGNATION

We the owners of the building and the land of BHC
~~1135~~ 103 Street Bay Harbour, Florida
are adamantly opposed to an historic designation of our property

Initial	Surname	1st Line of Address	Zip Code	Signature
M	HARTMAN	1135 103ST #D-2	33154	[signature]
K	WEINSTEIN	1135 103ST # G-5	33154	[signature]
M	TAVARES	1135 103ST A-4	33154	[signature]
N	PETERS	1135 103rd St G2	33154	[signature]
J	KOSTER	1135 - 103ST F1	33154	[signature]
	Griffith	1135 103 F1 A3D	33154	[signature]
* C	DelaTorre	1135 103 St G1	33154	[signature]
* J	Mann	1135 103ST G3	33154	[signature]
R	Schmaelzy	1135 103rd St E5	33154	[signature]
[illegible]	Lacine	1135 103rd St C5	33154	[signature]
* SN	NEHMAD	1135 103st D1	33154	[signature]
JG	GOZLAN	1135 103st B2	33154	[signature]

Partial List against Desig

NOTE

January 2011

NOTICE NAMES 3 Pm.

*

Add your name to protect your property rights

Miami Dade County Historic Preservation Board is proposing to designate over 130 buildings on Bay Harbor Islands. The Miami-Dade County Commission will vote on whether or not to overturn the historic designation of the first of these 130 buildings on June 30, 2015.

Historic designation by the County will take away rights from property owners and force owners to live under a severe set of restrictions, including:

- --Homeowners are required to receive County approval to renovate or expand their home;
- --Homeowners cannot replace aging structural elements of their home, but are instead forced to maintain them, often at great expense;
- --Homeowners cannot demolish any part of their structure to build something new without first receiving permission from the Miami-Dade County Historical Board.

In addition, the designation of Bay Harbor Continental Building or the other 130 Bay Harbor Islands' buildings as historic would likely halt proposed developments that will contribute to property values. Historic designation means stricter regulations and consequences to property owners.

The Bay Harbor Islands Town Council is opposed to the designation by the Miami-Dade County Commission because homeowners do not want the designation due to the role historic designation will have on limiting their property rights and reducing property values over time.

Sign the petition and stand with the Bay Harbor Islands Town Council, town residents and property owners in telling the Miami-Dade County Commission the people of Bay Harbor Islands should have the right to continue to make unfettered decisions regarding the property they own.

Total signatures: 150

	Name	State	Comment
1.	William Cibbarelli	FL	
2.	Becky McIver	FL	
3.	Renee Caserta	FL	
4.	Chris Hendrson	FL	
5.	I Buddy Levine	FL	
6.	Barbara Levine	FL	
7.	Beatriz Pons	FL	
8.	Kevin Kerr	FL	
9.	Stan & Wendy Auerbach	FL	
10.	Samuel Corsello	FL	
11.	Michele Cohen	FL	
12.	Ileene Wallace	FL	
13.	Jeffrey Koster	FL	
14.	kathleen weinstein	FL	
15.	Ann Bussel	FL	
16.	Gerald Miller	FL	
17.	Michael Hartman	FL	
18.	Isabelle Saini	FL	
19.	John Bussel		
20.	Lori Mishkin	FL	
21.	barry meiselman	FL	
22.	Wendy Barash	FL	
23.	Zalmy Shapiro	FL	
24.	Alberto Cohen	FL	
25.	David Guez	FL	
26.	jay meiselman	FL	
27.	Joni Meiselman	FL	
28.	Samantha Meiselman	FL	
29.	Evan Meiselman	FL	
30.	Barry Meiselman	FL	

	Name	State Comment
89.	Clara Berens	
90.	Faye Lasky	FL
91.	Carmen	FL
92.	Morris Broad	FL
93.	Rena Weinstein-Rago	FL
94.	Eduardo Jimenez	FL
95.	jennifer sazant	FL
96.	Joyce Cromarty	FL
97.	Susan Levinson	FL
98.	Martha Trezza	FL
99.	Terence Russell	FL
100.	Andrea Meza (Tryex, Inc.)	FL
101.	Lincoln Fontanills	NJ
102.	Damian Diaz	FL
103.	sandra silva	WA
104.	Rafael Yanes	FL
105.	Xiomara Yanes	FL
106.	Zenaida Gallardo	FL
107.	Teresita Yanes	FL
108.	geri weiss	FL
109.	Karl Vohwinkel	FL
110.	Robert Sabatino	FL
111.	Mirta castillo	FL
112.	Mirta castillo	FL
113.	Mirta castillo	FL
114.	dinah vogel	FL
115.	Marjorie Seldin	FL
116.	barbie markowitz	FL
117.	doina sitaru	FL
118.	Julio Cohen	FL
119.	Livia Cohen	FL
120.	Audrey Gozlan	
121.	Maida Perez	FL
122.	Roberto Pelaez	FL
123.	Gladys & Leo Sharshon---Schattlack	NY
124.	harvey rosen	FL
125.	Maria Graciela Robles	FL
126.	Freddie Hamilton	FL
127.	Valerie LaBarbera	NY
128.	Steven Gefin	FL
129.	Rebeca Geffin	FL
130.	Robert Harbaugh	FL
131.	Ilene Tessler	
132.	Zeki Pamukcu	FL
133.	Eileen de la Cuesta	FL
134.	Wendy LaBarbera	NY
135.	angela lopez	FL
136.	Maria Lucchese	FL
137.	Pandora Moody	FL
138.	Mauricio Zeilic	FL
139.	Adela Gottesmann	FL
140.	ben sorkin	FL
141.	tessa moreno	FL
142.	Carol Blacher	FL
143.	Dobromir Dimitrov	FL
144.	Shay Shmuel	FL
145.	Alejandro Blandino	FL

full_name legal_name	E ARE BAY HARBOR PETITION SIGNATUR primary_city	primary_zip
Paul Basile	Bay Harbor Islands	33154
William Cibbarelli	Bay Harbor Islands	33154
Becky McIver	Bay Harbor Islands	33154
Chris Hendrson	Bay Harbor Islands	33154
I Buddy Levine	Bay Harbor Islands	33154
Barbara Levine	Bay Harbor Islands	33154
Beatriz Pons	Bay Harbor Islands	33154
Stan & Wendy Auerbach	Bay Harbor Islands	33154
Kevin Kerr	Bay Harbor Islands	33154
Samuel Corsello	bay harbor islands	33154
Michele Cohen	Bay Harbor Islands	33154
Ileene Wallace	Bay Harbor Islands	33154
Jeffrey Koster	Bay Harbor Islands	33154
kathleen weinstein	Bay Harbor Islands	33150
Ann Bussel	Bay Harbor Islands	22154
Gerald Miller	Bay Harbor Islands	
Michael Hartman	Bay Harbor Islands	33154
Isabelle Saini	Bay Harbor Islands	33154
John Bussel	Bay Harbor Islands	
Lori Mishkin	Bay Harbor Islands	33154
barry meiselman	Bay Harbor Islands	33154
Wendy Barash	Bay Harbor Islands	33154
Zalmy Shapiro	Bay Harbor Islands	33154
Alberto Cohen	Bay Harbor Islands	33154
David Guez	Bay Harbor Islands	33154
jay meiselman	Bay Harbor Islands	33154
Joni Meiselman	Bay Harbor Islands	33154
Samantha Meiselman	Bay Harbor Islands	33154
Evan Meiselman	Bay Harbor Islands	33154
Barry Meiselman	Bay Harbor Islands	33154
Phyllis Littman	Bay Harbor Islands	33154
susana cohen	Bay Harbor Islands	33154
Ken Packar	Bay Harbor Islands	33154
Paige Butler	Bay Harbor Islands	33154
Scott Melker	Bay Harbor Islands	33154
Andrea Ruskin Nitzberg	Bay Harbor Islands	33154
Andre Reuter	Bay Harbor Islands	33154
Paul Meyer	Bay Harbor Islands L	33154
Varda R. Tal	Bay Harbor Islands	33154
Lance Ehren	Bay Harbor Islands	33154
Robert Paget	Bay Harbor Islands	14304
Sharlane Packar	Bay Harbor Islands	33154
marjory rossin	Bay Harbor Islands	33150
Richard Olsen	Bay Harbor Islands	33154

Sonnia Engl	Bay Harbor Islands	33154
Marjorie Milberg	Bay Harbor Islands	33154
Judith Etzion	Bay Harbor Islands	33154
Hector Vassallo	Bay Harbor Islands	33154
Allen Davis	Bay Harbor Islands	33154
Anita Bigelman	Bay Harbor Islands	33154
Mary Beck	bay harbor islands	33154
Emi Melker	bay harbor islands	33154
Nancy Peters	Bay Harbor Islands	60643
Kevin Peters	Bay Harbor Islands	33154
marinin quintero	Bay Harbor Islands	33154
Gabriela Blanco	Bay Harbor Islands	33154
Scott Peters	Bay Harbor Islands	33154
Esther Ashkenazi	Bay Harbor	33154
eduardo Lowensohn	Bay Harbor Islands	33154
gustavo matamoros	Bay Harbor Islands	33154
Jean-Pierre Fargeon	Bay Harbor Islands	33154
Cynthia Stein	Bay Harbor Islands	
jimmy Srur	Bay Harbor Islands	33154
Louis Coffey	Bay Harbor Islands	33154
claudia varao ayres	bay harbor islands	33154
Alexandre N Dos Anjos	Bay Harbor Islands	33154
claudia ayres	Bay Harbor Islands	33154
Thecla Moreno	Bay Harbor Islands	33154
Domenico Luisi	Bay Harbor Islands	33154
Moshe Givon	Bay Harbor Islands	
Donald Grabowski	Bay Harbor Islands	33154
Phyllis Marcial	Bay Harbor Islands	33154
pamela weiss	Bay Harbor Islands	33154
Pamela Weiss	Bay Harbor Islands	33154
Gary Jett	Bay Harbor Islands	33154
Donnell Nantkes	Orlando	32836
Sharon Yannotti	Bay Harbor Islands	33154
Leopoldo Hoffman	Bay harbor Islands	33154
Jose Portela	Bay Harbor Islands	33154
Marjorie Serralles-Russell	Bay Harbor Islands	33154
Moyri Baez	Bay Harbor Islands	33154
Richard Schmaeling	Bay Harbor Islands	
Lisa Austin	Bay Harbor Islands	33154
Harry Valdivieso	Bay Harbor Islands	33154
marvin levinson	Bay Harbor Islands	33154
Sue Folkoff	Bay Harbor Islands	33154
Clara Berens	Bay Harbor Islands	
Carmen	Bay Harbor Islands	33154
Faye Lasky	Bay Harbor Islands	33154
Morris Broad	Coral Gables	33146
Rena Weinstein-Rago	Bay Harbor Islands	33154

Eduardo Jimenez	Bay Harbor Is	33154
jennifer sazant	Bay Harbor Islands	33154
Joyce Cromarty	Bay Harbor Islands	33154
Susan Levinson	Bay Harbor Islands	33154
Martha Trezza	Bay Harbor Islands	33154
Terence Russell	Bay Harbor	33154
Andrea Meza (Tryex, Inc.)	Bay Harbor Island	33154
Lincoln Fontanills	Bay Harbor Islands	8402
Damian Diaz	Bay Harbor Islands	33154
sandra silva	Bay Harbor Islands	98155
Rafael Yanes	Bay Harbor Islands	33154
Xiomara Yanes	Bay Harbor Islands	33154
Zenaida Gallardo	Bay Harbor Islands	33154
Teresita Yanes	Bay Harbor Islands	33154
geri weiss	Bay Harbor Islands	33154
Karl Vohwinkel	Bay Harbor Islands	33154
Robert Sabatino	bay harbor islands	33154
Mirta castillo	Bay Harbor Islands	33154
dinah vogel	Bay Harbor Islands	33154
Marjorie Seldin	Bay Harbor Islands	33134
barbie markowitz	Bay Harbor Islands	33154
doina sitaru	Bay Harbor Islands	33154
Julio Cohen	Bay Harbor Islands	33154
Livia Cohen	Bay Harbor Islands	33154
Audrey Gozlan	Bay Harbor Islands	
Maida Perez	Bay Harbor Islands	33154
Roberto Pelaez	Bay Harbor Islands	33154
Gladys & Leo Sharshon---Schattlack	Bay Harbor Islands	11726
harvey rosen	Bay Harbor Islands	33154
Maria Graciela Robles	Bay Harbor Islands	33154
Freddie Hamilton	Bay Harbor Islands	33154
Valerie LaBarbera	Commack	11725
Steven Gefin	Bay Harbor Islands	33154
Rebeca Geffin	Bay Harbor Islands	33154
Robert Harbaugh	Bay Harbor Islands	33154
Ilene Tessler	Bay Harbor Islands	
Zeki Pamukcu	bay harbor islands	33154
Eileen de la Cuesta	Bay Harbor Islands	33154
Wendy LaBarbera	Commack	11725
angela lopez	Bay Harbor Islands	33154
Maria Lucchese	Bay Harbor Isl	33154
Pandora Moody	Bay Harbor Islands	33154
Mauricio Zeilic	Bay Harbor Islands	33154
Adela Gottesmann	Bay Harbor Islands	33154
ben sorkin	Bay Harbor Islands	33154
tessa moreno	Bay Harbor Islands	33154
Carol Blacher	Bay Harbor Islands	33154

Dobromir Dimitrov	Bay Harbor Islands	33154
Shay Shmuel	Bay Harbor Islands	33154
Alejandro Blandino	Bay Harbor Islands	33154
Stephanie Smith	Bay Harbor Islands	33154
Thania vernon	Biscayne	33149
Jenny Wang	Bay Harbor Islands	33154
Azria Deborah	Bay Harbor Islands	

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Name (please print): DINAH VOGEL

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Name (please print): Dinie Shapiro

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Name (please print): Ryan Shapiro

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Name (please print): BEATRIZ GAMBACH Beatriz Gambach

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#301

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Name (please print): Radu Perry #301 Signature

Street Address: 10140 W. Bay Harbor Dr

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Email:

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Name (please print): Alan Silver Alan Silver

Street Address: 10140 W. Bay Harbor Dr. #201 **Signature**

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Name (please print): NORMA A. ORDVITZ

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Name (please print): Scott HackMeyer

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Name (please print): Leah Hall

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Name (please print): DAN Mirelli

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Name (please print): Juan Jaramillo

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Charles E Wallace

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Ann B. Bussel

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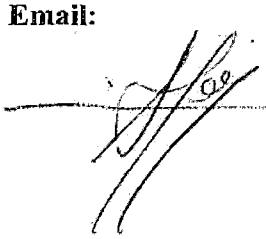

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Name (please print): MICHAEL D. ORKOWITZ

Street Address: 9300 W. Bay Harbor Dr, #2A

City/State: BHI, FL 33154

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Michael D Orkowitz

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Name (please print): BEATRIZ GAMBACH Beatriz Gambach

Street Address: 9300 Bay Harbor Terrace

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#301

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Name (please print): Radu Perry #301 Signature

Street Address: 10140 W. Bay Harbor Dr

City/State: Bay Harbor Isl, FL 33154

Phone:

Email:

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Name (please print): Alan Silver Alan Silver

Street Address: 10140 W. Bay Harbor Dr. #201 Signature

City/State: Bay Harbor Islands, FL

Phone: 305-866-1979(3)

Email: ajsilvercpa@earthlink.net

201

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Name (please print): Janice Silver Janice Silver

Street Address: 10140 W Bay Harbor Dr #201 **Signature**

City/State: Bay Harbor Islands, FL 33154

Phone: 305-866-1973

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#401

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Name (please print): HAROLD M SIEGEL Harold M. Siegel

Signature

Street Address: 10140 W. BAY HARBOR DR, 401

City/State: BAY HARBOR ISL., FL 33154

Phone:

Email:

401

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Name (please print): Mimi Siegel Mimi Siegel

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City/State: Bay Harbor Isl, FL 33154

Phone:

Email:

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Robert

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Name (please print): Roberto Ponce

Street Address: 10140 W. Bay Harbor Dr #301

Signature

City/State: Bay Harbor Isl., FL 33154

Phone:

Email:

503

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Terry + Radu

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Name (please print): Teri Saveanu

Street Address: 10140 W Bay Harbor Dr. Apt 503 #301

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Signature

503

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Name (please print): Radu Saveanu

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Phone: 305-498-8256

Email: rsaveanu@aol.com

Signature

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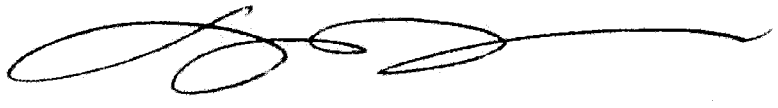
Name (please print): Shellie Victorio-LaPorta

Street Address: 9725 Bay [illegible] Por Terr #23

City/State: BHI, FL 33154

Phone:

Email:



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Name (please print): Jacob Bagdadi

Street Address: 1065 97th St Apt #2

City/State: Bay Harbor Islands

Phone:

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Name (please print): Melissa Angulo

Street Address: 1075 92nd St #305

City/State: Bay Harbor FL 33154

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Name (please print):

Street Address: 102 W Bay Harbor Dr. #2

City/State: FL

Phone: 305-587-6376

Email: [illegible]

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Name (please print): Shmuel Balkany

Street Address: 9861 E Broadview Dr

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Phone: 718.913.0411

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Name (please print): KARLA DECKER

Street Address: 9280 BAY HARBOR TERR.

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Name (please print): MARY S HAIKED

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Mary Shaked

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Name (please print): MARIOLE MURRAY

Street Address: 10271 E. Bay Harbor Dr

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Name (please print): Hindy Antian

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City/State: Miami

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Name (please print): DINAH VOGEL

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City/State: BAY HARBOR

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Name (please print): Dinie Shapiro

Street Address: 9430 W. Broadview Dr

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Our Property. Our Rights.

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Name (please print): Ryan Shapiro

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Name (please print): Issac New

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Name (please print): Levi Drimmer

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Name (please print): ZALMAN LIPSKAR

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Email: Zalman@theshulorg

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Name (please print): Shaimy Katan

Street Address:

City/State: Bay Harbor Islands

Phone:

Email:



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Name (please print): FRANKLIN HARNEY

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Name (please print): [illegible]

Street Address: [illegible]

City/State: Bay Harbor

Phone: 9546093635

Email: [illegible]

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Name (please print): MARY NEUMANN

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City/State:

Phone: 305-606-3484

Email:

Mary Neumann

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Name (please print): OSCAR FARMATI

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Bay Harbor Is., FL 33154

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Name (please print): DR. FRANK WAXMAN

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Name (please print): Edward Smith

X Edward

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Name (please print): Norman Hurwitz

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Name (please print): Anne Horwitz

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Name (please print): K. Bernstein

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B. Mutchnik

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Our Property. Our Rights.

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C Cohen

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V. Bazar

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Adam Aronson

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Name (please print): Marie S. Morales

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Marie S. Morales

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Email: Ernest Egemark

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Name (please print): PHILIP GAUGHAN

Street Address: 9500 W BAY HARBOR DR #2A

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Phone: 305-815 7656

Email: Philipe Daughan

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Name (please print): Ellen Gaughan

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City/State: Bay Harbor Islands

Phone: 305-815-7656

Email:

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Name (please print): Scott Hannon

Street Address: 9160 W. Bay Harbor Dr.

City/State: BHI FL.

Phone: [redacted]

Email:

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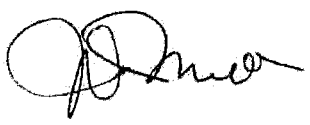
Name (please print): Melanie Mochan

Street Address: 9660 W Bay Harbor Dr

City/State: Bay Harbor Islands, FL 33154

Phone: 305-856-8500

Email:



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Name (please print): OFCARLOS LOPES

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Name (please print): Jackie Abraham

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Jackie Abraham

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Name (please print): Jesse Paruch

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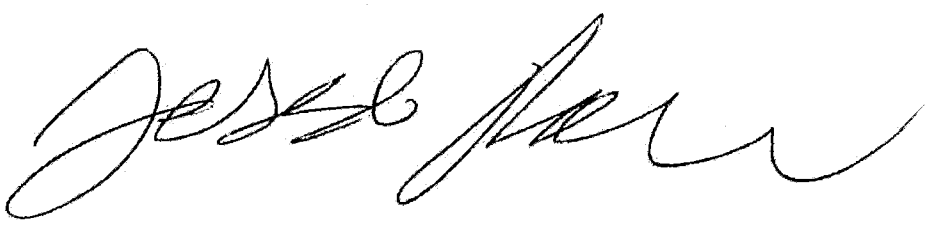

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Name (please print): Pilar Richarte.

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City/State: FL

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Name (please print): VIVIAN LEN

Street Address: 1135 103rd St

City/State:

Phone:

Email:

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Name (please print): Stephen Lezamm

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Name (please print): Noel Cruz

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Noel

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Name (please print): Walter Acosta

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Name (please print): MARIA FERNANDA COLMON

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City/State: BAY HARBOR ISLAND 33154

Phone: 305-776-4622

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Name (please print): DANIELA MORENO

Street Address: 1040 94th ST APT#2

City/State: BAY HARBOR ISL.

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Name (please print): Pedro Gomez

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City/State: Bay Harbor Islands, FL

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Name (please print): Mara Mignardi

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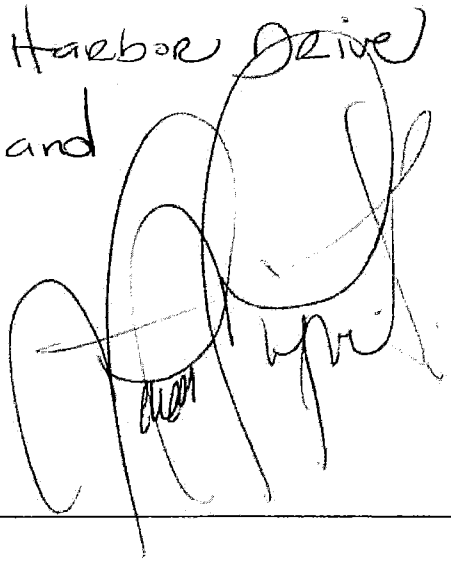
City/State: FL, Bay Harbour Island

Phone: 786 587 6040.

Email:



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Name (please print): Humberto Quesada

Street Address: 1880 S Treasure Dr.

City/State: NBV, F

Phone:

Email:

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Name (please print): LILLIAN Lee HART

Street Address: 1135 - 103 RD ST. APT C-2

City/State: BAY HARBOR ISLANDS, FL 33154

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Lillian Lee Hart

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Name (please print): NANCY R. PETERS

Street Address: 1135 103rd St. #2.

City/State: Bay Harbor Islands, FL. 33154

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Nancy R. Peters

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Name (please print): Scott W. Peters

Street Address: 1135 103rd St G2

City/State: Bay Harbor Islands. FL 33154

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Name (please print): Marcela Meta

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Name (please print): May Marroquin

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Name (please print): Wayne Patterson

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Wayne Patterson

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Belisa Marroquin

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Name (please print): HAYA ELBAZ

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Name (please print): Elizer Taktuk

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Name (please print): ~~A~~ RUNG GREENE

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Phone: 305 528-5553

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Name (please print): Jidamy Pelayo

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City/State: BHI FL

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Name (please print): Patricksti Timms

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City/State: Miami -

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Name (please print): FARID I. FRITZ

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Fernanda Gonzalez

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Name (please print): Claudia Fernandez
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Name (please print): RICARDO DANIEL DOS SANTOS

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Name (please print): AR BAY INC. ANDRE REUTER

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Name (please print): Tessa Moreno

Street Address: 10002 E Bay Harbor Dr. apt 12

City/State: Bay Harbor, Islands, FL

Phone:

Email:

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www.wearebayharbor.com

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Name (please print): Moyri BAEZ

Street Address: 10301 E. BAY HARBOR DR. #8

City/State: BAY HARBOR ISLANDS, FL 33154

Phone: 305-807-5811

Email: moysoy77@gmail.com

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Name (please print): CARLOS VALDES

Street Address: 10301 E. BAY HARBOR DR #7

City/State: BAY HARBOR ISLAND

Phone: 305-342-1307

Email: carloscaramba@hotmail.com

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Name (please print): Martha Liliana Boggiano

Street Address: 10301 E. Bay Harbor Dr. #6

City/State: Bay Harbor Islands, FL. 33154

Phone: (305) 335-9659 (cel)

Email: lilibee13@gmail.com

Liliana Boggiano

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Name (please print): Lance Ehren

Street Address:
10301 E Bay Harbor Dr #5, Bay Harbor Island, FL 33154

City/State:
Bay Harbor Islands, FL 33154

Phone:
305 772-5262

Email:
lehrenmail@gmail.com

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Name (please print): Adriana Perez

Street Address: 10250 W. Bay Harbor Dr. Apt 2-E

City/State: Bay Harbor Islands FL 33154

Phone: 305-778-4705

Email: perezmiriam1@aol.com

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Name (please print): LOURDES GONZALEZ

Street Address: 10301 EAST BAY HARBOR DRIVE # 10

City/State: BAY HARBOR IS. FLA 33154

Phone: 305-632-5260

Email: Luly211@aol.com

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Name (please print): Lourdes Gonzalez

Street Address: 10301 East Bay Harbor Drive #11

City/State: Bay Harbor, Fla. 33154

Phone: 305-632-5260

Email: Lulg2110@aol.com

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Name (please print): NANCY MULLER

Street Address: 1048 Kane Concourse

City/State: Bay Harbor Fla

Phone: 786 - 443 - 1997

Email: Perio1048 @ A.OL.com

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Name (please print): Dr Gilbert Jacobson

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Rerio1048@AOL.com

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Name (please print): Kyn Queen

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Rerio1048@AOL.com

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Name (please print): Rozlyn Smith

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Rerio1048@AOL.Com

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Name (please print): Cynthia Fernandez

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Rerio1048@AOL.com

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Name (please print): Pamela Jacobson

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Perio1048@AOL.Com

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Name (please print): Debbie Taylor

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Rerio1048@AOL.com

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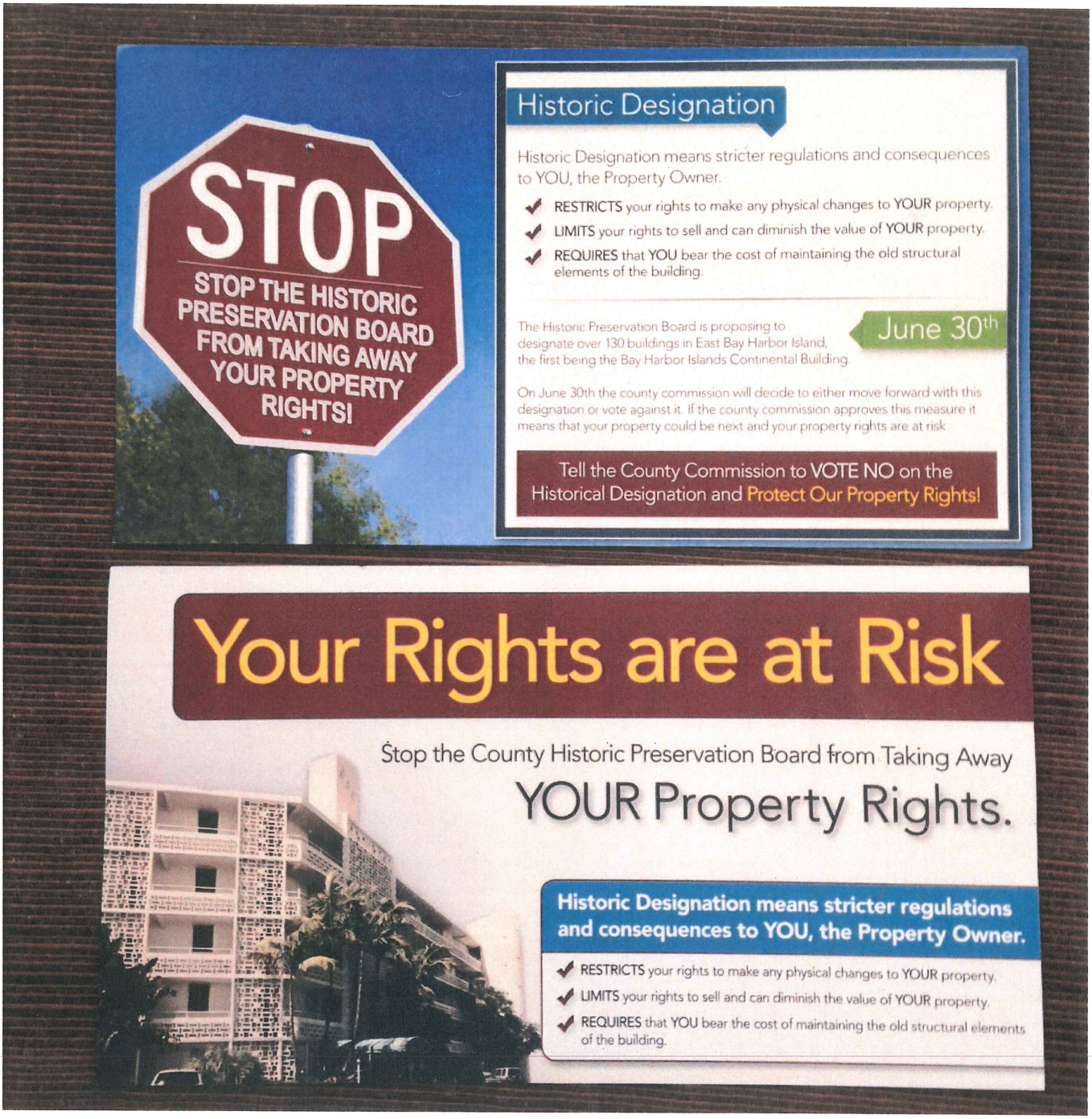
Name (please print): Debbie Wishnie

Street Address: 1048 Kane Course 2F

City/State: Bay Harbor Islands

Phone: 305-865-0328

Email: Rerio1048@AOL.com



DANIEL JERARDO

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/2015 BCC Mtg. Date 6/30/2015 Agenda Item # 5 Y

Subject: HISTORIC Preservation

Name: JUAN LLARENA

Address: 1155 103RD St., BAY Harbor Is, FL 33154

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:_____ No: X

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes :_____ No:_____

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/17. Agenda Item#: 5T

Subject: Historic Designation of Bay Harbor Continental

Name: David E. Gross

Address: 1135 103 Street #708 BHT

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5T

Subject: Bal Harbor Continued

Name: Margie Rossin

Address: 1165 103 St. #5D · Bal Harbor Island FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 X

Subject: Bay Harbor Continental Support for Appeal

Name: Lee Schattlack

Address: 64 Bay Harbor Continental

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ~~❑ No~~

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/5 BCC Mtg. Date: _____ Agenda Item#: 54

Subject: Bay Harbor Continental Support for Appeal

Name: Gladys S Harshon

Address: 64 Bay Harbor Continental

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 Y

Subject: BHC APPEAL AGAINST HISTORIC DESIGNATION

Name: BILL ZUCKER

Address: B4, Bay Harbor Continental, 1135 103rd Street

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 6-30-2015 BCC Mtg. Date: _____ Agenda Item#: 5Y Bay Harbor Continental

Subject: Bay Harbor Continental

Name: Richard Schmaelzing

Address: 1135 103 Street Bay Harbor Island FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Bay Harbor Continental against Historic designation

Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: _____ Agenda Item#: 5 Y

Subject: Support Appeal of BAY HARBOR CONTINENTAL

Name: Moyri BAEZ

Address: 10301 E. BAY HARBOR DR.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: HARBOR VIEW CONDO ASSC.
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 29 June 2015 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Bay Harbor Continental - Opposition to Maimo

Name: DAVID GOZLAN

Address: 1135 103rd st #B2 Bay Harbor Islands

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: June 30, 2015 BCC Mtg. Date: _____ Agenda Item#: 5-4

Subject: BAY HARBOR CONTINENTAL HISTORIC DESIGNATION

Name: JEFFREY FOSTER

Address: 1095 123 ST BAY HARBOR ISLANDS UNITED

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 6-30-15 BCC Mtg. Date: 6.30-15 Agenda Item#: 5-Y

Subject: Supporting Bay Harbor Continental

Name: Becky McIver

Address: 1135 103rd St. #FY Bay Harbor Islands, FL 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-2015 BCC Mtg. Date: 6-30-2015 Agenda Item#: 5 Y

Subject: Supporting Bay Harbor Condemnation

Name: Gervaise Racine

Address: 1195 - 103 St. Bay Harbor 65 Ito

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/29/15 BCC Mtg. Date: _____ Agenda Item#: 05-4

Subject: APeaL BAY HARBOR CONTINET. OF TO mi-o

Name: 1135-103 RD ST. C-2 LiLiAn Lee HART

Address: BAY HARBOR IsLds. FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☑ No

Do you require an interpreter? NO

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 3-30-15 BCC Mtg. Date: _____ Agenda Item#: 5-4

Subject: BAY HARBOR CONTINUANCE

Name: ELAINE ZADEH

Address: 1105 103RD ST - E-1

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: BHC Co-op SOFIA ZADEH — OWNER

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Supporting Bay Harbor Continental

Name: Kathleen Clark Klenstein

Address: 1135 103rd St. Bay Harbor, Fl. 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 8/30/15 BCC Mtg. Date: today Agenda Item#: 5-4

Subject: Bay Harbor Continual

Name: Jane Lantz B-1

Address: 1135 102nd St (Bay Harbor Continental)

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 6/30/2015 BCC Mtg. Date: _____ Agenda Item#: 5Y.

Subject: Bay Harbor Islands - Historic Designation

Name: Nancy K. Peters

Address: 1155 103rd Street, G2

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: JUNE 30 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: BAY HARBOR APPEAL (Against appeal)

Name: Leonor Ritsey

Address: 1135 103rd St. #5

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

-Desisted

Today's Date: JUNE 30 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: BAY HARBOR CONTINENTAL - We Must Preserve It

Name: CLARA REED - Investor Lives somewhere else

Address: 1135, 103 St, Apt. C3 BAY HARBOR ISLANDS

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: BHC - IN FAVER OF HISTORIC SITE.

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: _____

Subject: AGAINST APPEAL FOR BHC

Name: Frances / Frank Griffith

Address: 1135 103rd Street, APT D-3

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/2015 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: Appeal of Designation for BHC (Against appeal)

Name: Maurice Kinsey,

Address: 1135 103rd St. FS1

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card (For Public Hearing Items Only)

Today's Date: 6-30-15 BCC Mtg. Date: _____ Agenda Item#: 5 Y

Subject: APPEAL FOR BH CONTINENTAL AGAINST HISTORY DESIGNATION

Name: NYDIA G. SARRAIN

Address: 1135 ~~103~~ 3 St B HARBOR ISLANDS AP D4

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 06/30/15 BCC Mtg. Date: _____ Agenda Item#: Bay Harbor

Subject: PB Inv. Appeal of Historic Desig of B.H. Condo

Name: Scott Hannon / Bay Harbor Dev. Assoc.

Address: 9160 W. Bay Harbor Dr. B.H.I., FL 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Bay Harbor Development Assoc.
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

*Elected official

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Bay Harbor

Name: Mayor Jordan Leonard

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/3 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: SUPPORT APPEAL for BAY HARBOR CONTINENTAL

Name: FRANKLIN HARNEY against Historic PRESERVATION

Address: 10271 EAST BAY HARBOR DRIVE Designation

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 Y

Subject: Support Appeal for Bay Harbor Continental Against Appeal

Name: Martha L. Boggiano

Address: 10301 E. Bay Harbor Dr. #6

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Bay Harbor Continental / HarborView Condominium
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5.Y

Subject: SUPPORT APPEAL FOR BAY HARBOR Continental AGAINST - Historic Designation

Name: LOURDES GONZALEZ

Address: 10301 E. BAY HARBOR Drive # 10 511 BAY HARBOR Islands FL.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: BAY HARBOR Continental / HARBOR VIEW Condo
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: SUPPORT APPEAL OF BAY Harbor Continental Aggist Historic Designation

Name: LANCE EHREN (EHREN

Address: 10301 E. BAY HARBOR DRIVE #5 BAY HARBOR FLA 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: BAY HARBOR CONTINENTAL / HARBOR VIEW CORP
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/2015 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: BAY HARBOR - CONTINENTAL COOPERATIVE

Name: MORRIS BROAD

Address: 1030 HARDEE ROAD CORAL GABLES, FLORIDA 33146

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____ _____ _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Bay Harbor Continental

Name: Florence Nehmad

Address: 1135 103rd Street Bay Harbor Island

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No ✓

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 10/29/2015 BCC Mtg. Date: 10/30/2015 Agenda Item#: 5Y

Subject: Bay Harbor Continental

Name: Jennifer Schmieder

Address: 1135 103rd ST, Bay Harbor Islands

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 Y

Subject: Bay Harbor Continental

Name: CARLOS DELGADO

Address: 1135 103rd ST G-7

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 54

Subject: Bay Harbor Continental Apts

Name: SALOMON NEHMAD

Address: 1135 103rd Street Bay Harbor Island

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 12/30/15 BCC Mtg. Date: _____ Agenda Item#: 5 Y

Subject: Historic Appeal - BHC

Name: Lisa Mann

Address: 1135 103rd St, G3

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/2015 BCC Mtg. Date: _____ Agenda Item#: 5V

Subject: Appeal of Hist. Designation.

Name: Maunce Kirksey.

Address: 1135 103rd St. FS.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Appeal of Hist. Desisnation.

Name: ~~Leonor Kirksey~~ Leonor Kirksey

Address: 1135 103rd St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Appeal of Hist. Designation

Name: ~~Frank~~ Frank Griffith

Address: 1135 103rd St - ~~FG~~

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/2015 BCC Mtg. Date: _____ Agenda Item#: 5C

Subject: Appeal of Historic Designation,

Name: Clara Reed

Address: 1135 103rd St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ❑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 06/30/15 BCC Mtg. Date: _____ Agenda Item#: ~~45~~ 45.5Y

Subject: Continental Appeal

Name: Robin Hill

Address: 10250 Collins Ave, #203 Bal Harbour FL 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5-4

Subject: Continental - Rio Harbor Islands

Name: LAURA LAVIGNA, DADE HERITAGE TRUST, INC.

Address: 190 [illegible] MIAMI FL 33121

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: DADE HERITAGE TRUST, INC.

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? N/A

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 06/30 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: _____

Name: Patricia Wood Preuster

Address: 11950 N. Bayshore Dr. N. Miami FL 33181

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Bay Harbor

Name: Christina LaBuzetta

Address: 301 Ocean DR #304 Miami Beach FL 33139

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6.30.15 BCC Mtg. Date: 6.30.15 Agenda Item#: 5Y

Subject: Appeal

Name: William Lame

Address: 1480 Marseille Drive, Miami Beach, FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 30 JUN 2015 BCC Mtg. Date: 30 JUN 2015 Agenda Item#: 5Y

Subject: BAY HARBOR RESOLUTION

Name: [illegible]

Address: [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5 Y

Subject: APPEAL OF HISTORIC DESIGNATION: BAY HARBOR CONTINENTAL

Name: NINA KORMAN

Address: 1700 NE 105TH ST, MIAMI SHORES, FL 33138

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

#1

Today's Date: 6/30 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Bay Harbor Continental Historic Designation Appeal

Name: Nicole A. Milson, Esq.

Address: 1900 N. Bayshore Drive Miami, FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Group of residents of Bay Harbor Continental
Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30 BCC Mtg. Date: _____ Agenda Item#: 5Y

Subject: Bay Harbor Continental Historic Designation

Name: Nicole A. Milson, Esq.

Address: 1900 N. Bayshore Drive Miami, FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Group of residents of Bay Harbor Continental
Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5Y

Subject: Historic Preservation & Designation

Name: Charles (Chuck) Wallace

Address: 9300 W Bay Harbor Drive BHI, FL 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5Y

Subject: Historic Preservation - Designation

Name: Ileene Wallace

Address: 9300 W Bay Harbor Dr. BHI, FL 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 10/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5Y

Subject: Historic Preservation and Designation

Name: Janice Silver

Address: 10140 W Bay Harbor Dr. #201 BHI, FL 33154

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: 6/30/15 Agenda Item#: 5Y

Subject: APPEAL of CO. HP BOARD Designation of BAY HARBOR CONTINENTAL

Name: J. BRUCE EHRENHAFT / FOR: DADE HERITAGE TRUST

Address: RESIDENCE: 3601 TOLEDO ST. CORAL GABLES, FL 33134 / 190 SE 12th TERRACE, MIAMI 33131

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? (NON Profit) ☒ Yes ☐ No

If yes, please list name: DADE Heritage trust

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 54

Subject: Bay Harbor Continental Apts

Name: Albert Nehmad

Address: 18-05 215th Street Bayside, N.Y. 11360

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ❑ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: 6-30-15 Agenda Item#: 5H

Subject: Appeal to "un-designate" historic building

Name: [redacted] Daniel Ciraldo

Address: 1051 Michigan Ave, Miami Beach

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: 6-30-15 Agenda Item#: 5G

Subject: Appeal to "Un-designate" historic building

Name: Matti Bower

Address: Miami Beach, FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

CLERK OF THE BOARD
2015 MAY -5 PM 4:00
CLERK, CIRCUIT & COUNTY CTS
MIAMI-DADE COUNTY, FLA.
#1

Neisen O. Kasdin

Akerman LLP
One Southeast Third Avenue
Suite 2500
Miami, FL 33131-1714
Tel: 305.374.5600
Fax: 305.374.5095

May 5, 2015

Via Hand Delivery
Honorable Harvey Ruvin
The Clerk of the Board of County Commissioners
of Miami-Dade County
Stephen P. Clark Government Center
111 NE First Street, Suite 17-202
Miami, FL 33025

Re: Appeal of Miami-Dade County Historic Preservation Board Resolution No. 2015-06, dated April 15, 2015, designating the Bay Harbor Continental (1135 103rd Street, Bay Harbor Islands, Florida)

Dear Honorable Harvey Ruvin and Board of County Commissioners:

Our firm represents Bay Harbor Continental, Inc. ("Owner"), the owner of the property located at 1135 103rd Street, Bay Harbor Islands, Florida (the "Property"), and P3 Investments I, LLC ("P3"), the contract purchaser of the Property, in defense against the involuntary designation of the Property as a historic site by the Miami-Dade County Historic Preservation Board ("HPB").

The Property is improved with a 35-unit, 5-story cooperative residential building, constructed in 1958. The building and the Property are owned singularly by the Owner as a cooperative formed under Chapter 719, Florida Statutes, whereby residents within the building are shareholders in the corporation and have a leasehold interest in their units.

On April 15, 2015, despite the fact that Owner, a large majority of its residents, and P3 voiced strong opposition and demonstrated evidence of economic hardship associated with the designation of the Property, the HPB voted to designate the Property as a historic site, purportedly under the jurisdiction set forth in Chapter 16A of the Miami-Dade County Code of Ordinances ("County's Ordinance"). A copy of Resolution No. 2015-06 is attached as **Exhibit 1**. A copy of Chapter 16A, the County's Ordinance is attached as **Exhibit 2**.

Pursuant to Section 16A-15 of the County's Ordinance, we hereby submit to the Board of County Commissioners this appeal of HPB's April 15th decision to designate the Bay Harbor Continental as a historic site and respectfully request that the HPB's decision be overturned with prejudice.

A Master Exhibit List, including all relevant documents cited in this Appeal, and those submitted into the record at the April 15th HPB Meeting ("Public Hearing Binder"),[1] is attached and incorporated herein.

BASIS FOR APPEAL

1. Owner, the overwhelming majority of its residents, and P3 collectively ***oppose*** historic designation. Approximately 86% of residents agreed to sell the Property. And as of today's date, 25 of 35 residents (70%) have affirmatively voiced their opposition to historic designation.

2. The HPB's decision is predicated on a flawed process, including (a) an invalid petition for historic designation that does not meet the County's own criteria for initiation of historic designation; (b) lack of notice and meaningful opportunity to be heard, (c) lack of a fair and impartial hearing caused by the HPB Chair's clear predetermination to designate the building, (d) mischaracterization by County Staff of ill feelings by a minority of residents about the sale of the building as an "economic hardship" to neutralize any consideration by the HPB of economic hardship claimed by Owner and a majority of residents caused by the designation of the building, and (e) the total and unqualified failure to consider the impact of land development regulations in the Town of Bay Harbor Islands.

3. County Staff and the HPB failed to adequately consider competent substantial evidence of the economic hardship created by the historic designation of the building, including evidence that the deficiencies require some $8 million in renovations, that Owner does not have the financial capability to pay for the required renovations, that there are no opportunities for adaptive reuse, and therefore that renovation of the building by Owner is practically and financially infeasible.

4. Owner and P3 relied heavily on the withdrawal by the County of a designation report for the same building in 2011, believing the County would not designate the building, and have entered into a valid contract for sale of the Property, which was set to close on April 15th, and the parties have spent substantial sums of money in furtherance of the contract.

5. The HPB ignored testimony from well-known local modernist architects, with expertise in historic preservation, that the existing building does not exhibit distinguishing or significant features that rise to the level of a building that merits designation given the economic hardship factors presented.

For the reasons stated herein, we respectfully request that the Board of County Commissioners ***grant the appeal and overturn the HPB's decision***.

[1] The Public Hearing Binder includes: Exhibit 16, Exhibit 22, Exhibit 24, Exhibit 3, Exhibit 26, Exhibit 19, Exhibit 20, Exhibit 23, and Exhibit 35.

ANALYSIS TO SUPPORT THE GRANTING OF THE APPEAL AND OVERTURNING THE HPB RESOLUTION

I. The Bay Harbor Continental should not be designated historic against the will of the Owner and the people who live there

A. The Owner, Bay Harbor Continental, Inc., OPPOSES historic designation

The Property is owned and has been owned solely by Owner since 1958. On March 7, 2015, Robert Kolbert, as president of Owner, submitted a letter on behalf of Owner strongly opposing any continued efforts by the County's HPB to designate the building, and continues to oppose the historic designation of the building. See the March 7, 2015 Letter from Bay Harbor Continental, Inc. attached as **Exhibit 3**. Owner is a party to this appeal and issued the attached letter re-stating their continued opposition. See the May 5, 2015 Letter from Bay Harbor Continental, Inc. attached as **Exhibit 4.**

B. Clear majority of Shareholders/Residents are AGAINST designation

In March 2014, Owner entered into a contract for sale of the Property with P3 Investments I, LLC (the "Contract"). In April 2014, Owner provided P3 notice that the required number of shareholders (in excess of 77%) voted to approve the Contract. See April 28, 2014 Letter attached as **Exhibit 36**. Thereafter, 86% voted in favor of the Contract. The Contract was set to close on April 15, 2015, and would have closed but for the HPB's designation of the building and moratorium imposed on any demolition or alterations to the building.

In total, the shareholders of 25 of the 35 units in the building, representing roughly 70% of the units, have submitted affidavits indicating their stance OPPOSING historic designation. At the March 18th HPB Meeting, when the HPB was considering the designation of the building, we submitted into the record 23 original signed affidavits. Two (2) additional affidavits have been submitted collectively with the other affidavits in **Exhibit 5**. It is important to note that while there are 10 additional shareholders, only a portion of the remaining shareholders actually support designation.

Yet, the HPB ignored these passionate pleas and moved forward with designation against the will of the Owner and majority of residents.

C. Property rights of the Residents should be valued and protected

The sole legal owner of this property, Owner strongly objects to the designation of the building. As the owner of real property, holding title in fee simple, these property rights come with a bundle of sticks, including the right to enjoyment and the right to sell or dispose

of the property how one chooses. See Keystone Bituminous Coal Ass'n v. DeBenedictis, 480 U.S. 470, 500 (1987).

The interests and economic hardship faced by the current shareholders, most of whom are elderly and on fixed incomes, have been pushed aside by County staff and the County's HPB in favor of protecting an interesting looking building. These residents feel helpless and angry.

Even though the County's Ordinance does not require consent, Section 16A-10 (IV)(c) encourages the Board to "obtain the permission of the property owner(s)." In this case, Owner is the sole owner of the Property. The shareholders of the cooperative make up the individuals who lease and control and reside in the units. P3 is the purchaser under the Contract and has contractual rights to acquire title to the Property and therefore is an affected party. At no time did the HPB make any effort to inquire into the number or percentage of shareholders who supported preservation. The HPB also made no effort to obtain the permission of Owner or of P3. In fact, once it was brought to the HPB's attention that the Petition filed represented a small minority of shareholders and did not reflect the views of the sole Owner of the Property, the HPB disregarded the views of the Owner and the majority of its shareholders and residents.

My colleague, Steve Wernick, spent much of the April 15th meeting consoling elderly shareholders who felt their voices weren't being heard and who were ignored, brushed aside, and whose lives were made to feel secondary, at best, to the interests of a handful of shareholders attempting to undermine the sale of the Property and a small group of preservation advocates determined to preserve the architectural features of the building – most of whom don't live or work in Bay Harbor Islands – and others who admittedly have never visited the Property. While architectural merit is certainly worthy of the HPB's consideration, it must be balanced with Property rights and any economic hardship that would be imposed by the designation on the Owner and affected parties.

This blatant disregard for human interest could not have been the intent of the County Commission when the County's Ordinance was adopted in 1981.

D. No residential building has ever been designated historic under the County's ordinance AGAINST the will of the Owner

Based on our research of available files, we have found no cases in which Miami-Dade County has designated a residential building as a historic site against the will of the Owner. This County Commission would be the first to uphold such a decision.[2]

[2] As of the date of this Appeal, there is another appeal pending related to Seaside Terrace, in which a condominium is divided between individuals who support and individuals who oppose the designation of an existing 2-story building on Collins Avenue built in 1948.

Residential buildings must be viewed differently from an office building, restaurant, hotel, church, or other place of public accommodation. To impose designation on a residential building means to interfere in many cases with the rights of individuals to their homestead property. Furthermore, there is a right of privacy that is valued much higher than in places of public accommodation. No one living in the Bay Harbor Continental is interested in having tourists parking in front of their home to take photographs.

The Bay Harbor Continental was built as a multifamily residential building and still exists as a multifamily residential building. There is no commercial aspects to the building. There is no public access to the waterfront through the Property. There has never been an expectation that this building would be open to the public.

II. Procedural Defects

A. The HPB's designation of the Bay Harbor Continental ignored the Owner's voice at every step in the process

On February 18th, with no notice to affected parties or the general public and no item scheduled on the HPB's agenda, the HPB accepted a mysterious petition to initiate designation and voted to direct staff to prepare a designation report and to bring it back in 30 days.

After closing the public comment portion of the HPB meeting, it was announced that a petition was filed by Carlos de la Torre, Lisa Mann, and Clara Reed, dated February 10, 2015, requesting the HPB consider the designation of the Bay Harbor Continental (the "Petition"). No inquiry was made by staff or the HPB as to the authority of these residents to file a petition or into the Owner's position. HPB Chairman, Mitch Novick, refused to hear any public testimony and immediately made his thoughts known loud and clear. "[If] this Board find[s] within its wisdom, hey we want these buildings protected, I'm under the impression that today the moratorium kicks in and you have 30 or 60 days to provide us a report." Page 18-22, February 18th Transcript, attached as **Exhibit 6**.[3] Based on the Petition, and although it was not included as an item on the agenda, the HPB voted to direct staff to prepare a designation report which once filed would create a moratorium on the Property. See February 18, 2015 HPB Meeting Minutes, attached as **Exhibit 7.**

On March 18th, Kathleen Kauffman, the County's Historic Preservation Officer, presented a designation report on the Bay Harbor Continental to the board for its acceptance. Despite evidence presented to the HPB by Owner and P3 that the Petition was legally invalid because it was not filed by an "Owner" of the Property, the HPB accepted the designation report, imposing a moratorium on any demolition or construction activity on the Property. See the invalid Petition attached as **Exhibit 8.**

[3] Note the February 18th Transcript is only a portion of the hearing. The full hearing can be found in the audio files attached to the appeal.

On April 15th, the HPB with only 5 members present voted to designate the Bay Harbor Continental. Despite overwhelming evidence presented by Owner and P3 of economic hardship caused by the proposed designation of the building and expert testimony to demonstrate various practical and economic difficulties unique to this case, several members of the HPB ignored this evidence, saying essentially that the job of the board was to consider only the merit of the building itself.

B. The HPB hearings were handled improperly and without affording due process to BHC and P3

The HPB hearings denied procedural due process to Owner and P3. The Florida Constitution provides that "[n]o person shall be deprived of life, liberty or property without due process of law." Art. I, § 9, Fla. Const. The Fifth Amendment of the United States Constitution guarantees the same rights. Procedural due process requires both fair notice and a real opportunity to be heard. Keys Citizens For Responsible Gov't, Inc. v. Florida Keys Aqueduct Auth., 795 So. 2d 940, 948 (Fla. 2001).

The Owner and residents did not have a meaningful opportunity to be heard since they were not given any notice that their Building would be considered at the February 18th hearing, nor that the Petition had been filed. According to the United States Supreme Court, the fundamental right to have a meaningful opportunity to be heard "has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to appear or default, acquiesce or contest." Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 313 (1950). The opportunity to be heard must be "at a meaningful time and in a meaningful manner." Keys Citizens, 795 So. 2d at 948 (Fla. 2001).

Not only was there a lack of individual notice to the residents, but the February 18th agenda did not even mention the Bay Harbor Continental, or Bay Harbor Islands. Action was taken under an agenda item entitled "Old Business Items." See February 18, 2015 HPB Agenda, attached as **Exhibit 9**.

The lack of meaningful opportunities to be heard continued throughout the designation process from February through April. Several examples include: (1) Novick repeatedly cut off anyone who spoke out against preservation. For example at the February 18th hearing, Novick tried to silence Frank Simone (Assistant Town Attorney for Bay Harbor Islands) and Ron Wasson (Town Manager for Bay Harbor Islands), for speaking out against designation. See Page 6-7, 11, February 18th Transcript, where Novick makes several comments such as: "wrap it up" and "cut to the chase." (2) At the February 18th hearing, Novick specifically asserted his intentions to designate the Bay Harbor Continental without any meaningful input from its residents or The Town of Bay Harbor Islands.

I'll tell you what I would like to see. I'd like us to begin this process and offer protections for all these buildings that have been referenced: the Seaview, Carlton Terrace, the church, Bay Harbor Island. I think it's within our power. It's our charge. And we can't continue to kick the can down the road. We need to act.[4]

Novick did not permit *any* public comment regarding the filing of the Petition after public comment was closed at the February 18th hearing. See Page 23, February 18th Transcript, where he specifically states that the public comment period is CLOSED after it became apparent that an owner petition had been filed. Therefore, there was no opportunity for public input once the petition was made known to the public – obstructing the residents' right for an opportunity to be heard on this essential item.

At the March 18th HPB Meeting, although the HPB was considering imposing a moratorium on the one specific Property, the Bay Harbor Continental, the HPB did not recognize the hearing as "quasi-judicial" and the March 18th Agenda did not include the item as a public hearing. See March 18, 2015 HPB Agenda attached as **Exhibit 10**. See March 18, 2015 HPB Meeting Minutes attached as **Exhibit 11**. Novick did not afford attorneys for Owner and P3 sufficient time to present their defense and Novick repeatedly granted more time to speakers advocating for designation than speakers opposing designation.

At the April 15th HPB meeting, Novick only granted Owner and P3's legal representative a total of 20 minutes to present its case against designation, including testimony from witnesses and residents of the building. See Page 4 of the April 15th Transcript, attached as **Exhibit 12**. (5) More than one resident asking to testify about their personal hardships and to object to designation were denied or pressured into sitting down. See Pages 97, 112, April 15th Transcript.

The hearings were manipulated by Novick to favor the voice of pro-designation *participants*. At the April 15th hearing, Novick orchestrated the order of the public hearing so that anyone speaking against designation was required to speak in a first group of speakers and tried to limit the number of people speaking, while those speaking in favor of designation were able to speak last and without any cap on the number of speakers so that approximately fifty-five (55) minutes elapsed between any speakers against designation and the board's deliberations on the matter at hand. Novick denied residents the right to speak because he didn't care to listen to their testimony and wanted to maximize the impact of pro-preservation testimony. See Pages 97, 112-113, April 15th Transcript.

[4] See Pages 19-24. Thereafter, it is announced that an owner petition was submitted to designate BHC; and Novick admitted that he sent an email prior to the Board meeting asking Ms. Kaufman to bring the previously prepared designation reports. See Pages 21, 23.

C. Owner and P3 denied right to a fair and impartial hearing due to actions of County staff and Chairman Novick

In the spring and summer months of 2014, Ms. Kauffman and one or more preservation advocates[5] interested in buildings on the East Island quietly prepared and submitted an application to the National Trust for Historic Preservation ("National Trust"), without the consent or knowledge of Town of Bay Harbor Islands officials or the Owner, in which they encouraged the National Trust to market the East Island as a place in danger. See Pages 1, 5 of 2014 Public Records Results attached as **Exhibit 13**. In fact, the Office of Historic Preservation even offered a summer internship specifically to assist in updating the historic survey and documentation of Bay Harbor Islands. See Page 8 of 2014 Public Records Results. When they were informed that the application was being accepted, the Office of Historic Preservation arranged for the County to issue a press release to spread the news. See Pages 9, 12, 16 of 2014 Public Records Results. None of this was done with the consultation of the Town of Bay Harbor Islands or the Owner, nor with any inquiry or thought into the economic impacts of these actions.

On February 17, 2015, Novick sent an email to Kathleen Kauffman, asking that she bring the old designation reports for Bay Harbor Islands to the meeting, commenting that he was "looking forward to an exciting meeting." See February 17th Email from Novick attached as **Exhibit 14**. At the February 18th meeting, once the public comment section of the meeting was closed, despite the fact that there were no items regarding the Town of Bay Harbor Islands or the Bay Harbor Continental, Novick embraced the Petition that was filed and charged forward with attempts to immediately impose a moratorium on the Property. Interestingly, no other board member on the dais happened to be aware of the Petition or Designation Report. For example Board Member George said: "I think we need clarity [on] what has been handed to us, for the sake of both myself and the Board members." See Page 22, February 18th Transcript. Further, Board Member Vangates asks whether the 2010 Designation Report was "disseminated to all members of the committee or just the chairman," and when Kauffman merely states she has copies [available at the meeting] – Vangates replies: "I have a little bit of uneasiness about that, because we haven't had a chance to review it formally and make a recommendation." See Page 28, February 18th Transcript.

Based on Novick's email from February 17th and his actions at each of the HPB meetings, it is clear that his intentions were purposeful and calculated to designate this building without any concern for the opinions of the Owner or its residents, Town officials, or any consideration of the County's Ordinance or fundamental issues of due process. At the April 15th hearing, despite comments from other Board members questioning the impact of economic hardship and looking for more information, Novick closes the discussion on designation as follows:

[5] See Teri D'Amico's email from April of 2014 regarding the Bay Harbor Continental: "Can we make this building the **Martyr** of BHI." (emphasis added). See page 18 of **Exhibit 13.**

I believe we should move forward today with designation. I believe that's our charge. I believe firmly that this building meets the criteria for designation, And we'd be remiss if we should move in another direction, So with that, I would entertain a motion to move forward with designation.

See Page 122 of the April 15th Transcript. After Novick presses fellow board members to make a motion, he asks staff to re-word the motion made, seconds the motion (as the chairman), and adds language to the motion, requesting that a moratorium be put in place in case the matter is appealed. See Pages 123-124 of the April 15th Transcript. Not only did he improperly exert influence as the Chair but he overstepped his role as well.

D. The decision to initiate proceedings, to impose a moratorium, and to ultimately designate the building was premised on a Petition filed improperly by a non-owner, and therefore the HPB's actions are invalid and void ab initio

The Petition presented at the February 18, 2015 meeting by three individuals – Carlos De La Torre, Lisa Mann and Clara Reed – is invalid and therefore, the entire premise on which the HPB moved forward in a swift and forceful manner was tainted. Section 16A-10 of the County's Ordinance states that: "the owner(s) of any property may petition the Board for designation of their property." Neither Carlos De La Torre, Lisa Mann nor Clara Reed are in fact owners of the property. The property is owned solely by a cooperative or "co-op" (under Chapter 719 of Florida Statutes), "Bay Harbor Continental, Inc.". The 3 individuals are technically shareholders of the corporate entity.

Each of the shareholders is entitled to exclusive possession, through a leasehold interest, of one of the 35 units in the co-op building. Unlike a condominium, they do not have legal title to their units. See Section 719.103(12), F.S..[6] When purchasing a co-op, you acquire a share or shares in the company that has legal title to the real property, but you do not directly acquire title to any portion of the real property. See Sections 719.103(12) and 719.105, F.S. as **Exhibit 15**.

Co-op shareholders cannot initiate a petition because they are not owners of any portion of the real property. Therefore, the Petition filed on February 18, 2015 was invalid and the HPB's actions were void ab initio.

[6] (12) "Cooperative" means that form of ownership of real property wherein legal title is vested in a corporation or other entity and the beneficial use is evidenced by an ownership interest in the association and a lease or other muniment of title or possession granted by the association as the owner of all the cooperative property.

E. Given the procedural deficiencies and evidence that the Board had predetermined the outcome, the decision regarding designation should not be remanded to the Board because the outcome will be the same

Section 16A-10 (IV B) calls for the Board to initiate proceedings based on a petition from an owner or staff recommendation. Despite evidence that the Petition was invalid and a lengthy discussion at the March 18th meeting in which the County Attorney suggested the board members consider initiating the proceedings through a different mechanism, the HPB chose to rely on the invalid Petition because members of the HPB, primarily Novick, already had predetermined the outcome of the proceedings and wanted to designate this building before holding a meaningful quasi-judicial hearing.

The County Commission should overturn the HPB's decision; any decision to send the case back to the HPB for a new hearing would be a *fait accompli*. To correct the "fruit of the poisonous tree," the Board would have had to start the process over, with a new hearing, with proper notice and initiation – and with a fresh and unbiased perspective. See Guerra v. State, Dep't of Labor & Employment Sec., 427 So. 2d 1098, 1103 (Fla. 3d DCA 1983). At this point, the process is so badly tainted that it is clear Owner and P3 would not be afforded a fair and impartial hearing.

F. Staff misrepresented the economic hardship at the April 15th Meeting, suggesting to the HPB that there were equal cases of economic hardship on either side.

The purposes of the economic hardship protection is to shield property owners from ill effects of historic designation of property, and other acts by the Board, which would result in undue economic hardship. Section 16A-12 of the County's Ordinance specifically cites HPB consideration of economic hardship: "Where, by reason of particular site conditions and restraints, or because of unusual circumstances applicable solely to the particular applicant property, strict enforcement of the provisions of this chapter would result in serious undue economic hardship to the applicant...." (emphasis added).

The economic hardship to be considered by the HPB is for owners of property who believe they will suffer economic damages or hardship from the HPB's strict enforcement of the code against their property. There must be some act committed by the Board which would result in an undue hardship in order to assert an economic hardship. It cannot be used by other parties to show that the lack of some act will be to their detriment. In other words, a resident of the building cannot claim that failure of the HPB to act (and therefore retain the status quo) would result in an economic hardship.

In any claim of undue economic hardship, affidavits are required to be submitted at least 15 days prior to the public hearing. See Chapter 16A-12. Pursuant to letters sent by County staff, affidavits were required to be submitted to the HPB by March 31st for consideration at the April 15th hearing. Owner, through its President Robert Kolbert,

submitted a comprehensive affidavit addressing the criteria cited in Chapter 16A-12, including various letters from individual residents, and regarding the impact of the designation on the value of the building, analysis regarding the millions of dollars it would cost to correct structural and other deficiencies, the inability to pay for necessary repairs, and the practical infeasibility of retaining and renovating the building. See BHC Economic Hardship Affidavit attached as **Exhibit 16.**

Four unique affidavits[7] were submitted by individual shareholders in support of designation – and two of those affidavits do not have stamps indicating that they were timely submitted to the HPB. See Four Pro-Designation Affidavits attached as **Exhibit 17**. These affidavits essentially claim an economic hardship based on frustration that the Property is under contract to be sold. For example, Mr. Kirskey clearly implies that the economic hardship is a result of the sale of the property and not the designation of the property. The economic impact he describes is the "tax burden since Bay Harbor Continental is a cooperative property and subsequently has a different tax burden associated with it." Ms. Kirskey also states that she voted "no" on all offers to purchase the Bay Harbor Continental – clearly showing her rationale for supporting the designation is truly opposition to the sale. Further, there is evidence that Carlos De La Torre and Lisa Mann, two of those who submitted affidavits in favor of designation had previously been against designation – and only changed their minds due to the tax consequences of the co-op. See Kathleen Weinstein's Letter attached as **Exhibit 28.** These arguments are in fact attempts to use the HPB to undermine a valid real estate contract.

Whether intentional or not, staff misrepresented the economic hardship at the April 15th meeting, comparing viewpoints on the sale of the Property and suggesting that there were equal cases of economic hardship on either side. Appendix B of the April 15, 2015 Bay Harbor Continental Designation Report (Page 24), attached hereto as **Exhibit 18**, states:

> *Specifically, some unit owners have provided statements that they are depending on the sale of the building for their future costs of living. These owners have also indicated that they can no longer afford the costs associated with the on-going maintenance of the building, with some owners already behind in assessment and maintenance fees. On the other hand, other unit owners, particularly those petitioning the Board to consider historic designation, have indicated if the sale of the building goes through, they will be forced to sell their home and will not receive adequate sales profits to relocate to comparable waterfront property, resulting in their displacement from their home and community.*

Staff correctly points to the economic hardship of the majority of the residents - indicating significant maintenance costs that will continue to be incurred if the HPB

[7] Note two affidavits were submitted by the Kirskey family. However, Mr. Kirskey makes conflicting statements as to whether he lives in the Building. See Exhibit 12, page 60 where Mr. Kirskey says he is not a unit owner and is merely speaking on behalf of his mother.

designates the building and the contract does not close. But the other affidavits submitted in support of designation do not present a case of economic hardship pursuant to Chapter 16A because any economic impact claimed is a result of a sale of the Property, not hardship caused by action taken by the HPB to enforce the County's Ordinance.

Staff's mischaracterization prevented the HPB's proper consideration of actual economic hardship caused by the designation of the building and contributed to the HPB's decision that the architectural merit of the building outweighed any consideration of economic hardship.

G. The Town's Code does not allow for adaptive reuse and when renovated, will require that the entire building meet current zoning and building code requirements.

The building cannot be renovated for a profitable use such as a hotel or restaurant. The Property is located in the RM-3 District. Pursuant to Chapter 23, Article I of the Town of Bay Harbor Islands Code of Ordinances ("Code"), residential use is the only permitted use on the Property. In fact, the Town Council in January 2015 adopted a resolution specifically eliminating any possibility that an applicant could seek accessory commercial uses in the RM-3 District. See Ordinance No. 972 attached as **Exhibit 19.**

Unlike other municipalities such as the City of Miami Beach, the Town's Code has no incentives or flexibility from land development regulations for historic buildings. Where renovations exceed 50% of the value of the existing building, the building must be brought up to meet current zoning and building code requirements. This includes ADA compliance which would require major changes to hallways and elevators. This also includes a requirement that the finished floor elevation be raised to base flood elevation. The existing building is several feet below base flood elevation. Therefore, the entire ground floor, which contain residential units, would be forced to be eliminated. See Code sections 18-22 and 7½ -27, attached as **Exhibit 20.** See also the Town Manager's relevant testimony from the April 15th hearing, attached as **Exhibit 21.**

County staff made misleading comments – suggesting to the HPB that designation of the building would have no impact on the development rights of the Property, even though they admittedly did not analyze the zoning and other restrictions imposed in Bay Harbor Islands. County staff did not consult Town officials nor did they review or analyze the Town's Code to understand the practical ability to adaptively reuse the building; other individuals testifying in support of designation who called attention to their credentials as experts in historic preservation, including Alex Adams, admitted they had not visited the Property and they had no specific knowledge or experience working with the Town's land development regulations. See Pages 100-101, April 15th Transcript.

III. Economic Hardship

A. Designation would impose an economic hardship on the Owner and its Residents

Designation would impose an economic hardship on the Owner and its residents. The Building has substantial deficiencies and the cost to renovate is approximately **$8 million**. Owner and P3 submitted to the HPB in advance of the April 15th meeting two (2) independent reports. Pursuant to the ERF Report, attached hereto as **Exhibit 22,** the extensive renovations would impose a financial burden on each unit owner ranging from $160,000.00 to $200,000.00 – amounting to roughly $6 million for total renovations. Based on the Odebrecht report, attached as **Exhibit 23,** which points out even further deficiencies, there would be an additional $1.5 to $2 million in estimated costs to adequately address required renovations. Owner has no reserves to pay for any level of renovations, let alone millions of dollars in renovations. And many of the residents have claimed they cannot afford a special assessment. Therefore, renovating the building is economically infeasible.

In addition, the renovations are practically infeasible. Pursuant to the ERF Report, the 57 year old Building requires major upgrades to comply with current safety codes and standards, including raising the first floor to meet the base flood elevation. This type of renovation is a much more expansive and a difficult undertaking, requiring multi-level expertise and in-depth detailed inspection. See Page 4 of the ERF Report.

Even if renovations were feasible, the cost to renovate is not justified based on the market potential. Based on a Market Analysis performed by RC3 World, which shows the value of the Building as a renovated rental Building, the potential value is only approximately $1.6 million – which would result in only $46,518 per unit. See Market Study Analysis as **Exhibit 24**. These figures are compared with the $16.5 million value for new development – which would result in approximately $471,428 per unit under the current contract. This imposes a discrepancy or economic impact of $424,910 per unit owner.

Further, Integra Realty Resources has conducted an independent analysis concluding similarly that the "estimated aggregate market value as is of the subject individual units ($7,906,250) compared with the current purchase contract of $16,500,000, results in an economic hardship of approximately **$8,593,750** to the subject's current shareholders/owners. This implies an economic hardship of approximately $245,536 per unit (35 units), or $21,647 per outstanding share (397 shares) of the cooperative." Therefore, the designation would **result in an economic hardship equal to the loss in market value of the Property in addition to the costs of renovation required to comply with the code, for a total amount of approximately $16.5 million**. See Integra Report attached as **Exhibit 25**.

Finally, and significantly, residents have presented testimony and letters to the HPB in furtherance of the personal economic hardship suffered by the respective individuals,

many of whom are elderly and on fixed incomes, and cannot bear the additional assessments to pay for the significant costs involved in the restoration of the existing building. See Resident Letters, attached hereto as **Exhibit 26.** For example, Bill Zucker's letter exemplifies the financial difficulties imposed on the residents and their struggle to merely pay off the old assessment. In addition, it shows how many residents were relying on the sale and "struggling day to day to get to [the] closing April 15th."

Further, many of the residents suffer from severe health problems or are caring for ailing relatives. The letters from Jeffrey Koster and Kathleen Weinstein depict these dire circumstances and the residents' reliance on the money from the sale to care for themselves and their families. As Ms. Weinstein states in her letter:

> *My hardship is only one of many in this building. Not all are capable for speaking for themselves, but their needs are a reality not a fabrication. If your decision is to designate this building at this late hour just before closing, you will devastate the lives of many elderly shareholders, all of whom were counting on this sale for their care in the last years of their lives.*

B. Designation would impose an economic hardship on P3

P3 is also an affected party to the designation and would suffer a serious economic hardship. This was officially brought to the Board's attention in Akerman's March 17, 2015 Letter, attached as **Exhibit 27.** P3 has been under contract with Owner to purchase the Property since March 27, 2014. The closing was scheduled to occur on April 15th, the same date that the building was designated. P3 entered into the Contract relying on the fact that there was no pending historic designation proceedings. Based on this reliance, P3 proceeded to spend significant resources, time and energy towards the acquisition of the Property with the intent to demolish the existing building and develop a new, modern luxury multifamily residential building.

P3 has incurred approximately **$2.1 million** in reliance on the Contract – including architectural and design fees, engineering fees, legal fees, salaries and costs of operating, consultation fees, financial due diligence, and equity investment to date. In addition, P3 called in their equity capital in preparation for the April 15th closing, which will now cost P3 approximately $110,000 per month moving forward.

IV. Prior Designation Report was withdrawn and parties relied on that determination.

In 2010, a prior designation report for the Bay Harbor Continental was prepared by County staff and brought to the HPB for its consideration. See December 15, 2010 Designation Report attached as **Exhibit 29**. Owner opposed the efforts and in February 2011, the HPB declined to designate the Property. Thereafter the report was withdrawn and lifted

the temporary moratorium that had been put in place. See February 2011 HPB Meeting Minutes attached as **Exhibit 30**.

Partly in reliance on the withdrawal of the report, Owner decided to list the Property and moved forward with the sale of the building, and entered into the Contract in March 2014.

In reliance and noting that the building was not located in a historic district nor was it designated historic by the HPB in 2011, P3 hired architects, design professionals and attorneys to commence design of plans for new construction on the Property and meetings with the Town of Bay Harbor Islands to secure entitlements for the project. Additionally, Owner and P3 applied for and the Town issued a demolition permit on February 18th. See Demolition Permit attached as **Exhibit 31**. To date, P3 has spent approximately **$2.1 million** in reliance on the ability to demolish the building. DRC submittal attached as **Exhibit 32**.

It is fundamentally unfair to pull the rug out from under Owner and P3 four (4) years after the decision not to designate the building and knowing that a real estate contract is pending closing.

To designate the Property four (4) full years after the withdrawal of the designation report violates a reasonable investment-backed expectation that was created among Owner and P3. The Parties may be entitled to significant monetary damages due to the diminution in value from the inability to demolish the building and from additional restrictions on alterations and new construction, as set forth above.

V. The architectural significance is not important enough to outweigh the economic hardship imposed on Owner and its residents

A. Evidence presented by experts that the Bay Harbor Continental does not meet the criteria in the County's Ordinance

At the April 15, 2015 HPB Meeting, the only testimony presented that could be considered competent substantial evidence regarding the merit or significance of the building's architecture was the staff report presented by Sarah Cody on behalf of the County's historic preservation office. There were no professionally licensed architects speaking in support of designation. To the contrary, there were two highly respected professional architects that spoke in opposition of historic designation.

Both Laurinda Spear, principal and co-founder of Arquitectonica, and Bob Chisholm, of RE Chisholm Architects, Inc., who has been working in Florida since the 1970s and was a lead participant in the creation of the County's preservation Ordinance, spoke about the limitations of the building and testified that the building is not nearly as significant as the staff report would suggest. While the building exhibits elements of MiMo architecture, it is

not in the opinion of Chisholm or Spear one of the more significant contributions. The architect, Charles McKirihan was actually not an important architect of the time. And beyond the concrete screen which is visible from the street, the building as a structure is a concrete box that was built inexpensively, was not particularly laid out well on the site and is surrounded by a sea of parking at the expense of any meaningful landscaping or landscape plan.

See Letter from Bob Chisholm dated April 30, 2015 attached as **Exhibit 33.** See Letter from Laurinda Spear dated May 1, 2015 attached as **Exhibit 34.**

B. Following this approach to historic preservation would suggest that many more multifamily apartments, condominiums and cooperatives will be designated historic in the near future against the will of the people.

Although the existing building contains design elements commonly associated with MiMo architecture, so do a vast number of buildings across Miami-Dade County and all of South Florida. If this Commission was to uphold the decision by the HPB ignoring unique circumstances and clear and strong objection by the Owner and the majority of its residents, then every typical multifamily building that is greater than 50 years old in any municipality within Miami-Dade County which is of typical architecture of the period of time in which it was built should be targeted for preservation, regardless of the views of the residents or the municipalities in which the building is located. In a few years from now, the HPB would be targeting multifamily buildings in every district across Miami-Dade County.

C. The Designation Report mischaracterizes the importance of the Building to the history of Bay Harbor Islands

Ms. Kauffman represented on numerous occasions that the Bay Harbor Continental is an example of the intent behind "origins of development patterns" on Bay Harbor Islands, suggesting that developer of the islands, Shepard Broad, envisioned or somehow created design criteria for buildings to look like the Bay Harbor Continental.

However, there is no evidence of any intentional architecture or design; Bay Harbor Islands is not like Coral Gables or Opa Locka, cities planned and developed in a particular style or motif with very stringent design restrictions guiding the architecture of its original buildings. Quite to the contrary. The East Island was developed with simply private deed restrictions on use, lot dimensions, setbacks and similar standards.

According to Morris Broad, Shephard's son and an owner of several properties in Bay Harbor Islands, there was no plan for architecture, design, or any coordination of the selection of architects. Shephard Broad platted the islands and contributed greatly to its history and the creation of mix of density of residential uses, but he wanted it left to individual developers and builders to select the architects of their choice.

According to Mr. Broad: *"There is no question in my mind if my father were here today, the visionary that he is, he would say we're in the 21st Century. We respect the 20th Century, but we live in the 21st Century."* See Page 52, Line 11 of the April 15th Transcript.

CONCLUSION

As set forth in great detail above and in the BHC Economic Hardship Affidavit previously filed with the HPB, designating this building would have arduous and unduly burdensome economic consequences for Owner. At the heart of the matter, when economic impact outweighs architectural merit, in a residential building that is at essence the home and homestead of individual County residents, with no overwhelming historic value, and there is no feasible way to pay for the extensive renovations necessary to bring the building up to current zoning and building codes, the County should not force upon the Owner a historic designation.

Please respect the will of the Owner, the overwhelming majority of its residents, and P3, and overturn the HPB's decision.

Sincerely,

Neisen O. Kasdin

Enclosures

cc: Honorable Mayor Carlos J. Gimenez
Board of County Commissioners, Miami-Dade County
Kathleen Kauffman, Historic Preservation Officer, Miami-Dade County
Steven Wernick, Esq., Akerman LLP
Robert Kolbert, President, Bay Harbor Continental, Inc.
Gaurav Butani, P3 Investments I, LLC

Master Exhibit List

1. Resolution No. 2015-06
2. Chapter 16A, the County's Ordinance
3. March 7, 2015 Letter from Bay Harbor Continental, Inc.
4. May 5, 2015 Letter from Bay Harbor Continental, Inc.
5. Affidavits from 25 of the 35 Shareholders
6. February 18th Transcript
7. February 18, 2015 HPB Meeting Minutes
8. February 10, 2015 – Invalid Petition
9. February 18, 2015 HPB Agenda
10. March 18, 2015 HPB Agenda
11. March 18, 2015 HPB Meeting Minutes
12. April 15th Transcript
13. 2014 Public Records Results
14. February 17th Email from Novick
15. Sections 719.103(12) and 719.105, F.S.
16. BHC Economic Hardship Affidavit
17. Four Pro-Designation Affidavits
18. April 15, 2015 Bay Harbor Continental Designation Report
19. Bay Harbor Islands – Ordinance No. 972
20. Bay Harbor Islands – Code Sections 18-22 and 7½ -27
21. Town Manager testimony from the April 15th hearing
22. ERF Report
23. Odebrecht report
24. Market Study Analysis
25. Integra Report
26. Resident Letters
27. Akerman's March 17, 2015 Letter
28. Kathleen Weinstein's Letter
29. December 15, 2010 Designation Report
30. February 2011 HPB Meeting Minutes
31. Demolition Permit
32. DRC Submittal
33. Letter from Bob Chisholm dated April 30, 2015
34. Letter from Laurinda Spear dated May 1, 2015
35. CVs from experts who spoke at the April 15th HPB hearing
36. April 28, 2014 Letter

**CD containing audio files of the February 18th, March 18th and April 15th HPB Meetings (NOTE copies of the CDs will be included in the binder of the appeal).

CFN 2015R0251196
OR Bk 29583 Pgs 4866 - 4875; (10pgs)
RECORDED 04/20/2015 12:24:23
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
STEPHEN P. CLARK CENTER
111 N. W. FIRST STREET
MAILBOX 114, LOCATED ON 12TH FLOOR
MIAMI, FLORIDA 33128
305-375-4958

MIAMI-DADE HISTORIC PRESERVATION BOARD

RESOLUTION NO. 2015-06

Bay Harbor Continental
1135 103rd Street
Bay Harbor Islands, FL 33154

WHEREAS, the Bay Harbor Continental was built in 1958 on the waterfront of Bay Harbor Islands' East Island; and

WHEREAS, the Bay Harbor Continental represents the pattern of development originally planned for Bay Harbor Islands; and

WHEREAS, the Bay Harbor Continenal embodies distinctive characteristics of the significant Miami Modern, or MiMo, architectural style; and

WHEREAS, the Bay Harbor Continental contributes to the understanding of the architectural heritage of the Town of Bay Harbor Islands; and

WHEREAS, the Bay Harbor Continental is one of a limited number of extant works by Charles F. McKirahan, a recognized architectural master; and

WHEREAS, the reference folio numbers and legal descriptions of the property are as follows (see attached for folio numbers and legal descriptions of each individual co-operative unit):

TAX FOLIO NUMBER: (Reference) 13-2227-026-0001

LEGAL DESCRIPTION: (Reference) BAY HARBOR CONTINENTAL CO-OP
BAY HARBOR ISLAND PB 46-5
LOT F LESS S11FT

MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
STEPHEN P. CLARK CENTER
111 N. W. FIRST STREET
MAILBOX 114, LOCATED ON 12TH FLOOR
MIAMI, FLORIDA 33128
305-375-4958

WHEREAS, the Bay Harbor Continental fulfills the following criteria for designation:

Criteria Sec. 16A-10(1)(a), *Are associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, south Florida, the State or the nation.*

Sec. 16A-10(1)(c): *Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction;* and

WHEREAS, if the historic designation of the Bay Harbor Continental is appealed, the decision of the Miami-Dade County Historic Preservation Board is stayed and the moratorium on alterations remains in effect until the appeal is heard.

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Board of Miami-Dade County on April 15, 2015 has designated the Bay Harbor Continental, located at 1135 103rd Street, Bay Harbor Islands, FL as a Historic Site pursuant to the Miami-Dade County Historic Preservation Ordinance (81-13) and that all elements of these structures are subject to all rights, privileges and requirements of that ordinance.

Kathleen Kauffmen
Kathleen Kauffman, Historic Preservation Chief
Office of Historic Preservation

4/15/15
April 15, 2015

MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
STEPHEN P. CLARK CENTER
111 N. W. FIRST STREET
MAILBOX 114, LOCATED ON 12TH FLOOR
MIAMI, FLORIDA 33128
305-375-4958

Board Members	Vote
Gary Appel	ABSENT
Ruth Campbell	YES
Dr. Adriana Cantillo	ABSENT
Rick Cohen	YES
Dr. Paul George	YES
Mitch S. Novick, Chair	YES
JoEllen Phillips	YES
Dr. Enid C. Pinkney	ABSENT
Ronda Vangates	ABSENT

MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
STEPHEN P. CLARK CENTER
111 N. W. FIRST STREET
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MIAMI, FLORIDA 33128
305-375-4958

Attachment 1: Folio Numbers & Legal Descriptions

Address	Folio Number	Legal Description	Property Owner
1135 103 Street Unit A1	13-2227-026-0010	Bay Harbor Island PB 46-5 Lot F Less S11ft Bay Harbor Continental Inc - Co-op Apt A-1 12 Shares of 397 or 19937-4706 0301 1	Joan Carney 1135 103 Street Unit A1 Bay Harbor Islands, FL 33154
1135 103 Street Unit A2	13-2227-026-0080	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-2 13 SHARES OF 397 OR 14934-2721 0391 4 COC 23262-2091 08 1997 5	Robert & June Kolbert 40 St. Andrews Circle South Hampton, NJ 11968
1135 103 Street Unit A3	13-2227-026-0150	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-3 13 SHARES OF 397 OR 18863-2755-2757 1099 1	Patricia Gawley 1135 103 Street Unit A3 Bay Harbor Islands, FL 33154
1135 103 Street Unit A4	13-2227-026-0220	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-4 13 SHARES OF 397 OR 18331-1065 0998 1	Margaret Tavares & Kathleen Weinstein 1135 103 Street Unit A4 Bay Harbor Islands, FL 33154
1135 103 Street Unit A5	13-2227-026-0290	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-5 14 SHARES OF 397 DEATH CTF MELVIN 611285 (FLD) OR 19925-3961-1000 1	Peter Acosta & Pura Perez 1135 103 Street Unit A5 Bay Harbor Islands, FL 33154

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1135 103 Street Unit B1	13-2227-026-0020	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT B-1 10 SHARES OF 397 OR 17914-206 TO 210 1197 6	June Lantz 1135 103 Street Unit B1 Bay Harbor Islands, FL 33154
1135 103 Street Unit B2	13-2227-026-0090	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT B-2 10 SHARES OF 397 OR 18131 1704 0598 1	David & Audrey Gozlan 1135 103 Street Unit B2 Bay Harbor Islands, FL 33154
1135 103 Street Unit B3	13-2227-026-0160	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT B-3 10 SHARES OF 397 OR 18270-3999 0998 1	Monique Beaudet 1135 103 Street Unit B3 Bay Harbor Islands, FL 33154
1135 103 Street Unit B4	13-2227-026-0230	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT B-4 10 SHARES OF 397 OR 19767-1445 0501 5 COC 21701-2867 09 2003 1	William Zucker 1135 103 Street Unit B4 Bay Harbor Islands, FL 33154
1135 103 Street Unit B5	13-2227-026-0300	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT B-5 11 SHARES OF 397 OR 16090-2207 0893 6	Marjory Rossin & Jeannette Gato 1135 103 Street Unit B5 Bay Harbor Islands, FL 33154
1135 103 Street Unit C1	13-2227-026-0030	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-1 10 SHARES OF 397 OR 19609-3913 04 2001 1 COC 22859-1737 10 2004 4	Richard & Susan Olsen & Maria Maldonado 1135 103 Street Unit C1 Bay Harbor Islands, FL 33154

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1135 103 Street Unit C2	13-2227-026-0100	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-2 10 SHARES OF 397 OR 18621-4422 0599 1	Mark & Lillian Hart 1135 103 Street Unit C2 Bay Harbor Islands, FL 33154
1135 103 Street Unit C3	13-2227-026-0170	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-3 10 SHARES OF 397 OR 21107-2206 0203 1 COC 22196-3377 08 2004 5	Clara Reed 1135 103 Street Unit C3 Bay Harbor Islands, FL 33154
1135 103 Street Unit C4	13-2227-026-0240	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-4 10 SHARES OF 397 OR 11462-503 0682 1	Pascual Innamorato 1135 103 Street Unit C4 Bay Harbor Islands, FL 33154
1135 103 Street Unit C5	13-2227-026-0310	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-5 11 SHARES OF 397 OR 15490-2227 0492 1	Gervaise Racine 201 Ch des Cedres St Anne Des Lacs Quebec J0R 1B0 Canada
1135 103 Street Unit D1	13-2227-026-0040	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT D-1 10 SHARES OF 397 OR 17098-2450 & 2452 0296 1	Salomon Nehmad 1135 103 Street Unit D1 Bay Harbor Islands, FL 33154
1135 103 Street Unit D2	13-2227-026-0110	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT D-2 11 SHARES OF 397 OR 19047-2696 19411-2046 0800 1	Michael Hartman 1135 103 Street Unit D2 Bay Harbor Islands, FL 33154

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1135 103 Street Unit D3	13-2227-026-0180	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT D-3 11 SHARES OF 397 OR 16475-1574 0394 1	Frances Griffith 1135 103 Street Unit D3 Bay Harbor Islands, FL 33154
1135 103 Street Unit D4	13-2227-026-0250	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT D-4 11 SHARES OF 397 DEATH CTF ELIZABETH OR 19849-4218 COC 23953-2023 10 2005 4	Nydia Gonzalez Sarrain 1135 103 Street Unit D4 Bay Harbor Islands, FL 33154
1135 103 Street Unit D5	13-2227-026-0320	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT D-5 12 SHARES OF 397 OR 20084-4623 0901 1 COC 24152-0288 01 2006 1	Martin Taplin 1135 103 Street Unit D5 Bay Harbor Islands, FL 33154
1135 103 Street Unit E1	13-2227-026-0050	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-1 10 SHARES OF 397 OR 17393-1717 0996 4	Sofia Zadeika 1135 103 Street Unit E1 Bay Harbor Islands, FL 33154
1135 103 Street Unit E2	13-2227-026-0120	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC -CO-OP APT E-2 10 SHARES OF 397 OR 21697-39/41 09 2003 1	Adolfo & Amelia Beorlegui 1135 103 Street Unit E2 Bay Harbor Islands, FL 33154
1135 103 Street Unit E3	13-2227-026-0190	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-3 10 SHARES OF 397 OR 17667-0290 0597 5 COC 24156-3724 01 2006 1	Martin Margulies 445 Grand Bay Drive Unit PH-1B Key Biscayne, FL 33149

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1135 103 Street Unit E4	13-2227-026-0260	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-4 10 SHARES OF 397 OR 19904-0339 19999-4044 0801 5	Mirta D. Selva 1135 103 Street Unit E4 Bay Harbor Islands, FL 33154
1135 103 Street Unit E5	13-2227-026-0330	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-5 11 SHARES OF 397 OR 17519-0449 1296 1	Elizabeth & Richard Schmaeling 1135 103 Street Unit E5 Bay Harbor Islands, FL 33154
1135 103 Street Unit F1	13-2227-026-0060	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-1 10 SHARES OF 397	Jeffrey Koster 1135 103 Street Unit F1 Bay Harbor Islands, FL 33154
1135 103 Street Unit F2	13-2227-026-0130	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-2 10 SHARES OF 397 OR 14848-2928 1290 1	Edward & Pierrete Woolley 10195 St Denis Montreal H3L 2H9 Canada
1135 103 Street Unit F3	13-2227-026-0200	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT F-3 11 SHARES OF 397 OR 21345-4291 04 2003 1	Louis & Sandra Lezama 1135 103 Street Unit F3 Bay Harbor Islands, FL 33154
1135 103 Street Unit F4	13-2227-026-0270	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-4 11 SHARES OF 397 COC 22272-1762 04 2004 4	Becky McIver 1135 103 Street Unit F4 Bay Harbor Islands, FL 33154

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1135 103 Street Unit F5	13-2227-026-0340	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-5 12 SHARES OF 397 OR 18905-1006 1299 6	Leonor Kirksey 1135 103 Street Unit F5 Bay Harbor Islands, FL 33154
1135 103 Street Unit G1	13-2227-026-0070	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-1 14 SHARES OF 397 OR 13679-1604 1600 0588 1 COC 26529-3811/26529-3814 0708 6	Carlos de la Torre 1135 103 Street Unit G1 Bay Harbor Islands, FL 33154
1135 103 Street Unit G2	13-2227-026-0140	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC -CO-OP APT G-2 14 SHARES OF 397 OR 16727-3687 0493 1 COC 23112-3990 02 2005 5	Nancy & Scott Peters 1135 103 Street Unit G2 Bay Harbor Islands, FL 33154
1135 103 Street Unit G3	13-2227-026-0210	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-3 14 SHARES OF 397 OR 22828-2048/24557-0504 1104 1	John Timinsky & Lisa Mann 1285 NE 104 Street Miami, FL 33138
1135 103 Street Unit G4	13-2227-026-0280	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-4 14 SHARES OF 397 OR 12287-2899 0584 4 COC 22796-4491 09 2004 6	Leo Schattlack & Gladys Sharshon 330 Lagoon Drive Copiague, NY 11726

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1135 103 Street Unit G5	13-2227-026-0350	BAY HARBOR ISLAND PB 46-5 LOT F LESS S 11 FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-5 14 SHARES OF 397 OR 15967-1544 0698 1 COC 25661- 878 05 2007 1	DJS Bay Harbor LLC 459 Blue Road Coral Gables, FL 33146

Chapter 16A HISTORIC PRESERVATION [1]

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Sec. 16A-20. Settlement Authority.

Sec. 16A-1. Short title.

This chapter shall be known and may be cited as the "Metropolitan Miami-Dade County Historic Preservation Ordinance."

(Ord. No. 81-13, § 1, 2-17-81)

Sec. 16A-2. Declaration of legislative intent.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of properties of historical, cultural, archeological, paleontological, aesthetic and architectural merit are in

the interests of the health, prosperity and welfare of the people of Miami-Dade County. Therefore, this chapter is intended to:

(1) Effect and accomplish the protection, enhancement and perpetuation of buildings, structures, improvements, landscape features, paleontological and archeological resources of sites and districts which represent distinctive elements of the County's cultural, social, economic, political, scientific, religious, prehistoric and architectural history;

(2) Safeguard the County's historical, cultural, archeological, paleontological and architectural heritage, as embodied and reflected in such individual sites, districts and archeological zones;

(3) Foster civic pride in the accomplishments of the past;

(4) Protect and enhance the County's attraction to visitors and the support and stimulus to the economy thereby provided; and

(5) Promote the use of individual sites and districts for the education, pleasure and welfare of the people of Miami-Dade County.

(Ord. No. 81-13, § 2, 2-17-81; Ord. No. 03-38, § 1, 3-11-03)

Sec. 16A-3. Scope of regulations.

(1) This chapter is intended to and shall govern incorporated and unincorporated Miami-Dade County.

(2) The regulatory jurisdiction of the Miami-Dade County Historic Preservation Board pursuant to this Chapter shall extend to:

(a) all property located in the unincorporated areas of Miami-Dade County;

(b) all property located in incorporated areas of Miami-Dade County except where the municipality has enacted its own historic preservation ordinance in accordance with section 16A-3.1

(c) archeology and paleontology zones and sites in the incorporated and unincorporated areas of Miami-Dade County except where the municipality has enacted its own historic preservation ordinance in accordance with section 16A-3.1 and the municipality, within 365 days of the effective date of this ordinance, enacts an ordinance that (1) expressly retains jurisdiction over archeology and paleontology zones and sites, (2) adopts regulations as least as protective of archeology and paleontology zones and sites as those in this Chapter, and (3) commits the municipality to retain sufficient archeological personnel or consultants to enforce such regulations; and

(d) the enforcement of the minimum standards established by this Chapter as set forth in this Chapter.

(3) Nothing contained herein shall be deemed to supersede or conflict with applicable building and zoning codes. Provisions contained herein shall be cumulative and read in conjunction with other provisions of the Miami-Dade County Code.

(Ord. No. 81-13, § 3, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 03-38, § 2, 3-11-03)

Annotation—CAO 82-23.

Sec. 16A-3.1. Municipal Historic Preservation.

(1) *County Technical and Legal Support for Municipal Preservation.* The Director of the Office of Historic Preservation and the County Attorney's Office may provide a requesting municipality with technical and legal assistance in preservation matters. Such assistance is not intended to replace the

municipality's own commitment of resources to preservation or to divert resources from the County's own preservation responsibilities.

(2) *Timeframes for Municipalities to Enact Historic Preservation Ordinances.*

(a) Municipalities incorporated prior to July 1, 1982 were given the option to adopt their own municipal historic preservation ordinances or be governed by the County ordinance. The following municipalities enacted their own ordinances: Coral Gables, Hialeah, Homestead, Miami, Miami Beach, Miami Shores, Miami Springs, Opa-locka, and South Miami.

(b) Municipalities incorporated after July 1, 1982 but before the effective date of this ordinance have until one year after the effective date of this ordinance to adopt their own preservation ordinances.

(c) Municipalities incorporated after the effective date of this ordinance have until one year after the effective date of their incorporation to adopt their own preservation ordinances.

(3) *Status of Designated Properties After Transition of Jurisdiction.* In the event that a municipality assumes jurisdiction of historic preservation from Miami-Dade County by enacting an ordinance as provided in this section, all properties previously designated by the Miami-Dade Historic Preservation Board shall have the status and protections of properties designated under the municipality's historic preservation ordinance unless and until such designation is removed by formal action of the municipality pursuant to its ordinance. The same rule shall apply if the County assumes jurisdiction from a municipality.

(4) *Minimum Standards for Municipal Ordinances.*

(a) To comply with the minimum standards for historic preservation ordinances a municipal ordinance shall contain provisions:

(1) that establish a historic preservation board which shall be empowered to designate individual sites or districts and to issue certificates of appropriateness; or to advise the city commission regarding such matters. In this regard, this ordinance shall constitute authority for a municipality to delegate to its preservation board the power to designate sites and districts and issue certificates of appropriateness.

(2) that provide procedures for the municipality, its staff, the Director of the Miami-Dade County Office of Historic Preservation, and private parties to recommend the initiation of designations of historic districts and individual historic sites, whether residential, commercial, industrial or other, pursuant to due notice to affected parties, legally-enforceable standards, quasi-judicial hearings, and appeals to court;

(3) that protect designated sites or districts by preventing the issuance of building, construction, zoning, and demolition permits or the significant change of appearance of such sites or districts until a written certificate of appropriateness has been issued;

(4) that protect property owners by procedures (1) to de-designate properties and (2) to vary or modify historic regulation based upon economic hardship pursuant to due notice to affected parties, legally-enforceable standards, quasi-judicial public hearings, and appeals to courts;

(5) that provide economic incentives for preservation;

(6) that regulate and prevent the demolition of historic buildings by neglect, and

(7) that establish the Secretary of Interior's Standards for Rehabilitation as standards governing preservation, although a municipality may establish additional standards.

(b) It is a violation of the minimum standards of this Chapter for a municipal historic preservation ordinance

(1) to exempt an otherwise historic property from historic regulation or designation on the basis that the owner did not consent to the regulation or designation;

(2) to allow the issuance of a permit for the demolition of a historically-regulated property unless, after a public hearing pursuant to the ordinance, a variance based upon economic hardship has been granted or a certificate of appropriateness to demolish based on express standards in the ordinance has been issued. In this regard, it is a violation of the minimum standards of this Chapter to permit the issuance of a certificate of appropriateness for demolition based solely upon the passage of a certain amount of time after the owner has applied to demolish.

(c) Municipalities that have already enacted historic preservation ordinances as of the effective date of this ordinance shall have 365 days from the effective date of this ordinance to bring their ordinances into compliance with these minimum standards.

(d) The minimum standards created in these sub-section shall not apply to any municipality that is recognized as a Certified Local Government by the Florida Secretary of State.

(5) *Guidelines for Municipal Enforcement.* Municipalities are encouraged to comply with the following guidelines, but these guidelines shall not serve as minimum standards:

(a) have a quorum appointed to its historic preservation board at least 9 months in any 12 month period;

(b) conduct public meetings of its historic preservation board no less than 6 times in every calendar year;

(c) provide sufficient professional staff to its historic preservation board to allow the board to conduct its business, including evaluating properties and districts for designation, reviewing and issuing certificates of appropriateness, holding quasi-judicial hearings, and otherwise enforcing the terms of its historic preservation ordinance;

(d) conduct a separate public hearing to consider for designation each property within its jurisdiction listed on the National Register of Historic Places; and

(e) produce at least one designation report per calendar year until all properties in its jurisdiction listed as historically significant on the City or the County's last survey have been considered.

(6) *Municipality Shall File Annual Report.* Municipalities that exercise jurisdiction of historic preservation shall annually file a report with the Clerk of the Board of the Miami-Dade County Commission. This report shall briefly state the name, address and qualification of its historic preservation board members; when each member joined and, if applicable left the board; the name, address and telephone number of its historic preservation staff members and consultants; and the number of designation reports and certificates of appropriateness prepared and considered in that year. Attached to the report shall be a copy of the minutes of the meetings of the municipality's historic preservation board for that year and any designation reports and certificates of appropriateness prepared by its staff during that year.

(7) *Municipal Authority To Obtain Continuances Before Unsafe Structure Agencies.* A municipality that has enacted its own historic preservation ordinance in accordance with this section may obtain continuances before unsafe structure agencies as set forth in section 16A-11 (VI) (b) of this Chapter. For this limited purpose, "Director," "staff," and "Board" as used in that section shall refer to their counterparts in the municipality. The authority provided by this sub-section shall be interpreted only to expand, and not to limit, the discretion of a municipality.

(Ord. No. 03-38, § 3, 3-11-03)

Sec. 16A-3.2. Authority of the Director to Appear as a Party.

In his official capacity, the Director of the Miami-Dade County Office of Historic Preservation shall have the legal authority to initiate or appear as a party in any administrative, legal proceeding, or appeal involving or arising out of a municipality's determination to designate an individual site or district, to grant or deny a certificate of appropriateness, to grant or deny a request to de-designate or grant a variance to a historic property, or to consider other similar matters involving individual sites or districts. In all such matters, the Director shall be represented by the County Attorney.

(Ord. No. 03-38, § 4, 3-11-03)

Sec. 16A-4. Definitions.

(1) *Archeological or paleontological zone:* An area designated by this chapter which is likely to yield information on the paleontology, history and prehistory of Miami-Dade County based on prehistoric settlement patterns in Miami-Dade County as determined by the results of the Miami-Dade County historic survey. These zones will tend to conform to natural physiographic features which were the focal points for prehistoric and historic activities and paleontology.

(2) *Certificate of appropriateness:* A certificate issued by the Board permitting certain alterations or improvements to a designated individual site or property in a designated district.

  (a) *Regular certificate of appropriateness:* A regular certificate of appropriateness shall be issued by the staff of the Preservation Board, based on the guidelines for preservation approved by the Board.

  (b) *Special certificate of appropriateness.* For all applications for a special certificate of appropriateness involving the demolition, removal, reconstruction or new construction at an individual site or in a district, a special certificate of appropriateness is required that is issued directly by the Board.

(3) *Certificate to dig:* A certificate that gives the Board's permission for certain digging projects that may involve the discovery of as yet unknown or known archeological or paleontological sites in an archeological or paleontological zone. This certificate is issued by staff of the Board based on the guidelines for preservation approved by the Board.

(4) *Certificate of recognition:* A certificate issued by the Board recognizing properties designated pursuant to this chapter.

(5) *Demolition:* The complete constructive removal of a building on any site.

(6) *Districts:* A collection of archeological or paleontological sites, buildings, structures, landscape features or other improvements that are concentrated in the same area and have been designated as a district pursuant to this chapter.

(7) *Exterior:* All outside surfaces of a building or structure.

(8) *Guidelines for preservation:* Criteria established by the Preservation Board to be used by staff in determining the validity of applications for a regular certificate of appropriateness and any certificate to dig and to establish a set of guidelines for the preservation of buildings in south Florida.

(9) *Historic Preservation Board:* A board of citizens created by this chapter as described in Sections 16A-5 through 16A-9

(10) *Historic survey:* A comprehensive survey compiled by the Historic Preservation Division of the Miami-Dade County Office of Community and Economic Development involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archeological, paleontological or architectural importance in Miami-Dade County, Florida.

(11) *Individual site:* An archeological site, a paleontological site, building, structure, place or other improvement that has been designated as an individual site pursuant to this chapter. Under the provisions of this chapter interior spaces may be regulated only where a building or structure is a designated individual site and where its interiors are specifically designated.

(12) *National Register of Historic Places:* A federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended.

(13) *Ordinary repairs or maintenance:* Work done to prevent deterioration of a building or structure or decay of or damage to a building or structure or any part thereof by restoring the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.

(14) *Owner of a designated property:* As reflected on the current Metropolitan Miami-Dade County tax rolls or current title holder.

(15) *Undue economic hardship:* Failure to issue a certificate would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.

(16) *Landscape feature:* Any improvement or vegetation including, but not limited to outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture and exterior lighting.

(Ord. No. 81-13, § 4, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 03-38, § 5, 3-11-03)

Sec. 16A-5. Historic Preservation Board—Created and established.

There is hereby created an Historic Preservation Board, ("the Board"), as a governmental agency of the County government in and for Miami-Dade County, Florida. The Board is hereby vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archeological, paleontological and architectural resources in Miami-Dade County, Florida, as prescribed by this chapter under the direct jurisdiction and legislative control of the Board of County Commissioners.

(Ord. No. 81-13, § 5, 2-17-81; Ord. No. 03-38, § 6, 3-11-03)

Cross reference— Standards for creation and review of boards, commissions, etc., §§ 2-11.36—2-11.40.

Sec. 16A-6. Same—Members.

The Board shall consist of thirteen (13) members appointed by the Board of County Commissioners. The Board of County Commissioners should attempt to appoint architects, realtors, archeologists, historians, art historians, lawyers or other individuals from the business, financial and other segments of the community who, by virtue of their profession or business, have demonstrated concern for historic preservation. The Historic Preservation Board shall contain not less than one architect; one real estate agent or attorney at law; and one historian or architectural historian. The term of office of membership shall be four (4) years for each member. Any vacancy occurring on the Board shall be filled by the County Commission for the remainder of the unexpired term, at the earliest possible date. Members shall be eligible for reappointment. Members of the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their official duties, as shall be determined and approved by the County Commission. Members of the Board shall be governed by Section 2-11.36, et seq. of the Code.

(Ord. No. 81-13, § 6, 2-17-81; Ord. No. 03-38, § 7, 3-11-03)

Sec. 16A-7. Same—Organization.

The members of the Board shall annually elect a Chair who shall serve at the pleasure of the Board and such other officers as may be deemed necessary or desirable. The County Manager shall provide adequate professional staff for the Board, including but not limited to representatives from the departments of community and economic development, building and zoning, and planning Office of Historic Preservation which shall be deemed the staff of the Board. The Office of Historic Preservation shall have a professional Director. The Historic Preservation Board shall be consulted regarding the selection of the Director. The Chair or his or her designee shall serve on any board reviewing candidates for the position of Director. Minutes of each Board meeting shall be kept and prepared under the supervision and direction of the Board, and copies of such minutes shall be filed with the Clerk of the County Commission.

(Ord. No. 81-13, § 7, 2-17-81; Ord. No. 03-38, § 8, 3-11-03)

Sec. 16A-8. Same—Rules and regulations.

The Board shall make and prescribe such rules and regulations reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this chapter. Such rules and regulations shall conform to the provisions of this chapter and shall not conflict with the Constitution and General Laws of the State of Florida, and shall govern and control procedures, hearings and actions of the Board. No such rules and regulations shall become effective until a public hearing has been held upon the proposed rules and regulations, and any amendments or modifications thereto, and the same have been approved by the County Commission and filed with the Clerk of the Commission. Upon approval by the Commission, such rules and regulations shall have the force and effect of law within Miami-Dade County, Florida. The Board shall prescribe forms for use by applicants in compliance with the provisions of this chapter. The Board may authorize any one (1) of its members to administer oaths and certify to official acts.

(Ord. No. 81-13, § 8, 2-17-81)

Sec. 16A-9. Same—Powers and duties.

The Historic Preservation Board shall have the following enumerated powers and duties:

(1) Adopt or amend rules of procedure.

(2) Designate individual sites, districts and archeological and paleontological zones.

(3) Issue or deny certificates of appropriateness and certificates to dig.

(4) Approve historical markers and issue certificates of recognition for individual sites and designated properties in a district.

(5) Recommend zoning and building code amendments to the proper authorities.

(6) Establish guidelines for preservation and criteria for issuance by staff of regular certificates of appropriateness.

(7) Promote the awareness of historic preservation and its community benefits.

(8) No actions of this Board will supersede or be construed as superseding the authority of the Board of County Commissioners.

(9) Review and update the historic survey for its quality and professional merit, and validate the findings of the survey as bona fide and sincere.

(10) Implement the authority of this chapter and fulfill the tasks set forth for this Board by the County Commissioners in this chapter and other ordinances.

(11) Record and maintain records of the Board's actions and decisions.

(12) Follow and abide by the laws of the United States of America, the State of Florida and Miami-Dade County.

(13) Provide an annual report to the Board of County Commissioners.

(14) Review and make recommendations to the Office of Historic Preservation regarding any grant proposals reviewed by the Office of Historic Preservation, including but not limited to Community Development Block Grants.

(Ord. No. 81-13, § 9, 2-17-81; Ord. No. 03-38, § 9, 3-11-03)

Annotation—CAO 84-8.

Sec. 16A-10. Designation process and procedure.

(I) [*Criteria.*] The Board shall have the authority to designate areas, places, buildings, structures, landscape features, archeological and paleontological sites and other improvements or physical features, as individual sites, districts or archeological or paleontological zones that are significant in Miami-Dade County's history, architecture, paleontology, archeology or culture and possess an integrity of location, design, setting, materials, workmanship or association, or:

(a) Are associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, south Florida, the State or the nation; or

(b) Are associated with the lives of persons significant in our past; or

(c) Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction; or

(d) Have yielded, or are likely to yield information in history or prehistory; or

(e) Are listed in the National Register of Historic Places.

(II) [*Properties not generally considered; exceptions.*] Certain properties, which include cemeteries, birthplaces, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, properties commemorative in nature and properties that have achieved significance within the last fifty (50) years, will not normally be considered for designation. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they fall within the following categories:

(a) A religious property deriving primary significance from architectural or artistic distinction of historical importance.

(b) A building or structure removed from its location but which is primarily significant for architectural value, or is the surviving structure most importantly associated with an historic event or person.

(c) A birthplace or grave of an historical figure of outstanding importance if there is no other appropriate site or building directly associated with his/her productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events.

(e) A property primarily commemorative in intent if design, age, tradition or symbolic value has invested it with its own historical significance.

(f) A property or district achieving significance within the past fifty (50) years if it is of exceptional importance.

(III) [*Investigation and designation report.*] Prior to the designation of an individual site, a district, or an archeological zone, an investigation and designation report must be filed with the Board. The format of these reports may vary according to the type of designation; however, all reports must address the following: The historical, cultural, architectural or archeological significance of the property or properties being recommended for designation; a recommendation of boundaries for districts and archaeological zones and identification of boundaries of individual sites being designated; a recommendation of standards to be adopted by the Board in carrying out its regulatory function under this chapter with respect to certificates of appropriateness and certificates to dig. Where a report is filed recommending designation of a district, the report must identify those properties, if any, within the district which are not historically or architecturally compatible with structures in the district. The standards for regulating such nonconforming properties shall provide that a certificate of appropriateness may be required only for new construction on such properties. All reports shall take into consideration projected, proposed or existing public improvements and developmental or renewal plans.

(IV) *Procedure.*

(a) *Petition of the owner.* The owner(s) of any property in unincorporated Miami-Dade County may petition this Board for designation of their property as an individual site, district or archeological zone provided that they appear before the Board with sufficient information to warrant the investigation of the property for future designation and the Board finds that the property may be worthy of designation. The Board shall, based on its findings, either direct the staff to begin the designation process or deny the petition. Nothing in this subsection shall be deemed to restrict the power of the Board to initiate the designation process pursuant to this section.

(b) *Directive of the Board.* The Board shall, upon recommendations from staff or the acceptance of petitions pursuant to part (IV), subsection (a) of this section, direct staff to begin the designation process by preparing a designation report, pursuant to part (III) of this section and any other standards the Board may deem necessary, and submitting this report according to the procedures described herein.

(c) *Notification of owner.* For each proposed designation of an individual site, district or archeological zone, the Board is encouraged to obtain the permission of the property owner(s) within the designated area, and is responsible for mailing a copy of the designation report to the owner(s) as notification of the intent of the Board to consider designation of the property at least fifteen (15) days prior to a public hearing held pursuant to this section.

(d) *Notification of government agencies.* Upon filing of a designation report, the Secretary of the Board shall immediately notify the appropriate building and zoning department, the appropriate public works department and any other County or municipal agency, including agencies with demolition powers, that may be affected by said filing.

(e) *Notification of a public hearing.* For each individual site, district or archeological zone proposed for designation, a public hearing must be held no sooner than fifteen (15) days and within sixty (60) days from the date a designation report has been filed with the Board. Owners of record or other parties having an interest in the proposed designated properties, if known, shall be notified of the public hearing by certified mail to the last known address of the party being served; however, failure to receive such notice shall not invalidate the same as such notice shall also be perfected by publishing a copy thereof in a newspaper of general circulation at least ten (10) days prior to the hearing. Owners shall be given an opportunity at the public hearing to object to the proposed designation.

(f) *Requirement of prompt decision and notification.* Within seven (7) days of a public hearing on a proposed individual site, district or archeological zone, the Board shall by written resolution state its decision to approve, deny or amend the proposed designation and shall direct the Secretary of the Board to notify the following of its actions with a copy of the resolution:

(1) The appropriate building and zoning department,

(2) The County Clerk,

(3) The appropriate municipal clerk when necessary,

(4) Owner(s) of the affected property and other parties having an interest in the property, if known,

(5) The appropriate planning department,

(6) The appropriate public works department, and

(7) Any other County or municipal agency, including agencies with demolition powers, that may be affected by this action,

(8) Miami-Dade County Property Appraiser.

(g) [*Amendment or rescission.*] The Board may amend or rescind any designation provided it complies with the same manners and procedures used in the original designation.

(h) *Moratorium.* Upon the filing of a designation report by the staff, the owner(s) of the real property which is the subject matter of the designation report or any individual or private or public entity shall not:

(1) Erect any structure on the subject property.

(2) Alter, restore, renovate, move or demolish any structure on the subject property until such time as final administrative action, as provided by this chapter, is completed.

(i) *Recording of designation.* The Board shall provide the Clerk of the Circuit Court with all designations for the purpose of recording such designation and the Clerk of the Circuit Court shall thereupon record the designation according to law.

(Ord. No. 81-13, § 10, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 88-28, § 2, 4-19-88; Ord. No. 03-38, § 10, 3-11-03)

Sec. 16A-11. Application for certificate of appropriateness.

(l) [*Certificate required as prerequisite to alteration, etc.*] No building, structure, improvement, landscape feature or archeological site within Miami-Dade County which is designated pursuant to Section 16A-10 shall be erected, altered, restored, renovated, excavated, moved or demolished until an application for a certificate of appropriateness regarding any architectural features, landscape features or site improvements has been submitted to and approved pursuant to the procedures in this section. Architectural features shall include, but not be limited to, the architectural style, scale, massing, siting, general design, the color of exterior paint surfaces, and general arrangement of the exterior of the building or structure, including the type, style and color of roofs, windows, doors and appurtenances. Architectural features shall include, when applicable, interior spaces where interior designation has been given pursuant to Section 16A-10. Landscape features and site improvements shall include but are not limited to, site regrading, subsurface alterations, fill deposition, paving, landscaping, walls, fences, courtyards, signs and exterior lighting. No certificate of appropriateness shall be approved unless the architectural plans for said construction, alteration, excavation, restoration, renovation, relocation or demolition are approved by the Board.

(II) [*Board to develop procedures.*] The Board shall develop procedures for making application for both a regular and special certificate of appropriateness.

(III) [*Standards for issuance.*] The Board shall adopt and may from time to time amend the standards by which applications for any certificate of appropriateness are to be measured and evaluated. In adopting these guidelines, it is the intent of the Board to promote maintenance, restoration, adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites and streetscapes. These guidelines shall also serve as criteria for staff to make decisions regarding applications for regular certificates of appropriateness.

(IV) *Regular certificates of appropriateness.* Based on the guidelines for preservation, the designation report, a complete application for regular certificate of appropriateness, any additional plans, drawings or photographs to fully describe the proposed alteration and any other guidelines the Board may deem necessary, the staff of the Board shall, within ten (10) days from the date a complete application has been filed, approve or deny the application for a regular certificate of appropriateness by the owner(s) of a designated individual site, or property within a designated district. The findings of the staff shall be mailed to the applicant within three (3) days of staff decision accompanied by a statement in full regarding the staff's decision. The applicant shall have an opportunity to challenge the staff decision by applying for a special certificate of appropriateness within thirty (30) days of the staff's findings.

(V) *Special certificates of appropriateness.*

(a) An applicant for a special certificate of appropriateness shall submit his application to the Board pursuant to Section 16A-10 and accompany such application to the Board with full plans and specifications, site plan and samples of materials as deemed appropriate by the Board to fully describe the proposed appearance, color, texture or materials, and architectural design of the building and any outbuilding, wall, courtyard, fence, landscape feature, paving, signage and exterior lighting. The applicant shall provide adequate information to enable the Board to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. If such application involves a designated archeological site the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archeological site.

(b) The Board shall hold a public hearing upon an application for a special certificate of appropriateness affecting property under its control. In such instances, notice and procedure of the public hearing shall be given to the property owner(s) by certified mail and to other interested parties by an advertisement in a newspaper of general circulation at least ten (10) days prior to the hearing.

(c) The Board shall act upon an application within sixty (60) days of receipt of application materials adequately describing the proposed action. The Board shall approve, deny or approve in modified form an application, subject to the acceptance of the modification by the applicant, or suspend action on the application for a period not to exceed thirty (30) days in order to seek technical advice from outside its members or to meet further with the applicant to revise or modify the application.

(d) The decision of the Board shall be issued in writing. Evidence of approval of the application shall be by certificate of appropriateness issued by the Board or the Board's designated staff representative to the applicant and, whatever its decision, notice in writing shall be given to the applicant and the Director of the Planning and Zoning Department. When an application is denied, the Board's notice shall provide an adequate written explanation of its decision to disapprove the application. The Board shall keep a record of its actions under this chapter.

(e) Unless otherwise provided in the certificate of appropriateness, both regular and special certificates of appropriateness shall expire after 365 days. Staff may grant extensions of time of up to an additional 180 days for restoration or rehabilitation work only upon satisfaction that the

scope of the work originally approved has not changed and provided a written request is filed and work is commenced before expiration of the certificate.

(VI) *Demolition.*

(a) Demolition of a designated building, structure, improvement or site may occur pursuant to an order of a government agency or a court of competent jurisdiction or pursuant to an approved application by the owner for a special certificate of appropriateness.

(b) Government agencies having the authority to demolish unsafe structures shall receive notice of designation of individual sites, districts or archeological and paleontological zones pursuant to Section 16A-10. The staff of such agencies shall consult with the staff of the Historic Preservation Board before entering a demolition order or placing such properties on an official agenda. Such unsafe structures agencies shall not enter a demolition order unless they first determine in writing that there exists no feasible alternative to demolition. The Historic Preservation Board shall be deemed an interested party and shall receive ten days prior written notice of any public hearings conducted by said government agency regarding demolition of any designated property. The Board may make recommendations and suggestions to the government agency and the owner(s) relative to the feasibility of and the public interest in preserving the designated property. At the written request of the Director of Miami-Dade County's Office of Historic Preservation, such unsafe structure agencies shall continue any hearing on a property for not less than 30 days to allow consultation with the Miami-Dade County Historic Preservation Board. If an unsafe structures agency subjects a designated property to an order providing for demolition, the order shall also, at the written request of the Historic Preservation Board, establish a grace period of no less than 120 days to obtain a permit to repair the property, followed by no less than 180 days to complete such repairs. After entry of such a repair or demolish order, such unsafe structures agencies shall have the jurisdiction and authority to grant additional extensions of the grace period, provided the agency is satisfied that the repair will be completed in a reasonable time.

Nothing in this section shall prohibit an unsafe structures agency from entering an order requiring a designated property to be secured.

(c) No permit for voluntary demolition of a designated building, structure, improvement or site shall be issued to the owner(s) thereof until an application for a special certificate of appropriateness has been submitted and approved pursuant to the procedures in this section. Refusal by the Board to grant a special certificate of appropriateness shall be evidenced by written order detailing the public interest which is sought to be preserved. The Board shall be guided by the criteria contained in part (VI), subsection (d) herein. The Board may grant a special certificate of appropriateness which may provide for a delayed effective date. The effective date shall be determined by the Board based upon the relative significance of the structure and the probable time required to arrange a possible alternative to demolition. During the demolition delay period, the Board may take such steps as it deems necessary to preserve the structure concerned, in accordance with the purposes of this chapter. Such steps may include, but shall not be limited to, consultation with civic groups, public agencies and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one (1) or more structures or other features.

(d) In addition to all other provisions of this chapter, the Board shall consider the following criteria in evaluating applications for a special certificate of appropriateness for demolition of designated properties:

(1) Is the structure of such interest or quality that it would reasonably meet national, State or local criteria for designation as an historic or architectural landmark?

(2) Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?

(3) Is the structure one (1) of the last remaining examples of its kind in the neighborhood, the County or the region?

(4) Does the structure contribute significantly to the historic character of a designated district?

(5) Would retention of the structure promote the general welfare of the County by providing an opportunity for study of local history, architecture and design or by developing an understanding of the importance and value of a particular culture and heritage?

(6) Are there definite plans for reuse of the property if the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?

(VII) [*Building permit not to issue without certificate.*] No building permit shall be issued by the Director of the Building Department which affects any designated property in Miami-Dade County without a certificate of appropriateness.

(VIII) [*Compliance of work with certificate standards.*] All work performed pursuant to the issuance of any certificate of appropriateness shall conform to the requirements of the certificate. The County Manager shall designate an appropriate official to assist the Board by making necessary inspections in connection with enforcement of this chapter and shall be empowered to issue a stop work order if performance is not in accordance with the issued certificate. No work shall proceed as long as a stop work order continues in effect. Copies of inspection reports shall be furnished to the Board and copies of any stop work orders both to the Board and the applicant. The Planning and Zoning Director or appropriate official and staff for the Board shall be responsible for ensuring that any work not in accordance with an issued certificate of appropriateness shall be corrected to comply with the certificate of appropriateness prior to withdrawing the stop work order.

(IX) [*Emergency, temporary measures.*] For the purpose of remedying emergency conditions determined to be dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction or other repairs to a building or site in Miami-Dade County, pursuant to an order of a government agency or a court of competent jurisdiction. The owner of a building damaged by fire or natural calamity shall be permitted to stabilize the building immediately without Board approval, and to rehabilitate it later under the normal review procedures to this chapter.

(X) [*No action to constitute approval.*] If no action upon an application is taken within sixty (60) days from the date of application, such application shall be deemed to have been approved and no other evidence of approval shall be needed. This time limit may be waived by mutual written consent of the applicant and the Board.

(XI) [*Power of review.*] The Board shall have the authority to review applications for certificates of appropriateness for all property in Miami-Dade County, however owned, by either private or public parties. The purposes of this chapter shall apply equally to plans, projects or work executed or assisted by any private party, governmental body or agency, department, authority or Board of the city, County or State.

(XII) Archeological Sites or Districts. To protect a designated archeological site, district, or zone the Board may require any of the following: (1) an archeological survey at the applicant's expense conducted by an archeologist approved by the Board containing an assessment of the significance of the archeological site and an analysis of the impact of the proposed activity on the archeological site; (2) scientific excavation and evaluation of the site at the applicant's expense by an archeologist approved by the Board; (3) mitigation measures; and (4) protection or preservation of all or part of the archeological site for green space. The Board may require an archeological survey as a precondition to consider further action.

(Ord. No. 81-13, § 11, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 98-125, § 10, 9-3-98; Ord. No. 03-38, § 11, 3-11-03)

Sec. 16A-12. Economic Hardship.

Where, by reason of particular site conditions and restraints, or because of unusual circumstances applicable solely to the particular applicant property, strict enforcement of the provisions of this chapter would result in serious undue economic hardship to the applicant, the Board shall have the power to vary or modify adherence to this chapter; provided always that its requirements ensure harmony with the general purposes hereof and will not adversely affect Miami-Dade County.

(a) In any instance where there is a claim of undue economic hardship, the owner shall submit, by affidavit, to the Board at least fifteen (15) days prior to the public hearing, the following information:

(1) For all property:

(i) The amount paid for the property, the date of purchase and the party from whom purchased;

(ii) The assessed value of the land and improvements thereon according to the two (2) most recent assessments;

(iii) Real estate taxes for the previous two (2) years;

(iv) Annual debt service, if any, for the previous two (2) years;

(v) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with his purchase, financing or ownership of the property;

(vi) Any listing of the property for sale or rent, price asked and offers received, if any; and

(vii) Any consideration by the owner as to profitable adaptive uses for the property; and

(viii) All cost estimates or reports relating to the demolition of the property obtained within the previous two (2) years;

(ix) All cost estimates or reports relating to the rehabilitation or restoration of the property obtained within the previous two (2) years;

(x) All reports relating to the engineering, architectural, or construction feasibility of rehabilitating or restoring the property obtained within the previous two (2) years; and

(xi) All reports relating to the economic feasibility of restoring or rehabilitating the property obtained within the previous two (2) years, including market studies.

(2) For income-producing property:

(i) Annual gross income from the property for the previous two (2) years;

(ii) Itemized operating and maintenance expenses for the previous two (2) years; and

(iii) Annual cash flow, if any, for the previous two (2) years.

(b) The Board may require that an applicant furnish such additional information as the Board believes is relevant to its determination of undue economic hardship. The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.

(Ord. No. 82-99, § 1, 10-19-82; Ord. No. 03-38, § 12, 3-11-03)

Sec. 16A-13. Maintenance of designated properties.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure which does not involve a change of design, appearance or material, and which does not require a building permit.

(Ord. No. 81-13, § 12, 2-17-81; Ord. No. 82-99, § 1, 10-19-82)

Sec. 16A-13.1. Demolition By Neglect Prohibited.

(1) *Affirmative Maintenance Required.* The owner of a property designated pursuant to this chapter either individually or as a contributing part of a district shall comply with all applicable codes, laws and regulations governing the maintenance of property. It is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of such properties and the interior portions thereof when maintenance is necessary to prevent deterioration and decay of the property. All such properties shall be preserved against such decay and deterioration and shall be free from structural defects through prompt corrections of any of the following defects:

(a) Facades which may fall and injure the subject property, adjoining property, or members of the public.

(b) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports.

(c) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.

(d) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.

(e) Any fault or defect in the property which renders it structurally unsafe, insufficiently protected from weathering, or not properly watertight.

(2) *Undue Economic Hardship.* A property owner who believes that application of this section creates an undue economic hardship may apply for a variance under section 16A-12

(3) *Enforcement.*

(a) *Notice and Administrative Enforcement.* When a Miami-Dade County Code Enforcement Officer learns of a violation of section (1), he or she shall give notice in writing of the violation to the owner, with specific written details of the corrective action necessary to remedy the violation. Such notice shall be given personally, by registered or certified mail, return receipt requested, or by posting on the property when the address of the owner cannot be located. The property owner shall have 30 days from the date of such notice to perform the corrective action. Thereafter, the Miami-Dade County Code Enforcement Officer may issue a civil citation pursuant to chapter 8CC of the Code of Miami-Dade County.

(b) *Action For Injunction And Remedial Relief; Lien on Property.* If the Property Owner fails to take corrective action within the 30 day period provided in section 3(a), Miami-Dade County may file an action seeking: an injunction ordering the property owner to take corrective action; an order authorizing Miami-Dade County to enter onto the property to make the corrective actions; and civil penalties. The Court shall order an injunction providing such remedies if Miami-Dade County proves that the owner has violated this ordinance and such violation threatens the integrity or existence of an individual site or a contributing structure within a district. Such civil action may be initiated in the name of Miami-Dade County at the discretion of the County Manager upon an affirmative vote of a majority of the Historic Preservation Board. Settlements of such lawsuits may be obtained in the same manner. Nothing herein shall prevent the Board of County Commissioners from initiating or assuming direction of the lawsuit, at its discretion. In

the event that the Court authorizes Miami-Dade County to enter onto the property to take the required corrective action, the Court shall also order that the cost of the corrective action shall constitute a lien against the property, accruing interest at the statutory rate for judgments until satisfied.

(c) *Civil Penalties.* Violation of this section shall be punished by a civil penalty of five hundred dollars. After expiration of the thirty day period provided in section (3)(a), each day that the corrective action is not taken shall constitute a separate violation.

(Ord. No. 03-38, § 13, 3-11-03)

Sec. 16A-14. Certificates to dig.

(I) Within an archeological or paleontological zone, new construction, filling, digging, the removal of trees, or any other activity that may alter or reveal an interred archeological or paleontological site shall be prohibited without a certificate to dig. All applications to all appropriate municipal or County agencies involving new construction, large-scale digging, the removal of trees or any other activity that may reveal or disturb an interred archeological or paleontological site, in an archeological or paleontological zone shall require a certificate to dig before approval. Based on the designation report for the archeological or paleontological zone, a complete application for a certificate to dig and any additional guidelines the Board may deem necessary, the staff of the Board shall, within ten (10) days from the date the completed application has been filed, approve the application for a certificate to dig by the owners of a property in a designated archeological or paleontological zone. The certificate to dig may be made subject to specified conditions, including but not limited to conditions regarding site excavation. In order to comply with the site excavation requirements of the certificate to dig, the applicant may agree to permit the County Archeologist to conduct excavation from the time of the approval of the certificate to dig until the effective date thereof. The findings of the staff shall be mailed to the applicant by registered mail promptly. The applicant shall have the opportunity to challenge the staff decision or any conditions attached to the certificate to dig by requesting a meeting of the Board. The Board shall convene within thirty-five (35) days after such a request and shall make every effort to review and reconsider the original staff decision to arrive at an equitable decision. The decision of the Board shall be reduced to writing within seven (7) days from the date of the meeting.

(II) *Approved certificates to dig.* Approved certificates to dig shall contain an effective date not to exceed sixty (60) days at which time the proposed activity may begin, unless the Board decides to designate the site in question as an individual site or district pursuant to Section 16A-10 in which all the rules and regulations pertaining to the designation process shall apply from the date the designation report has been filed.

(III) [*Work to conform to certificate; stop work order.*] All work performed pursuant to the issuance of a certificate to dig shall conform to the requirements of such certificate. It shall be the duty of the appropriate government agencies and the staff of the Board to inspect from time to time any work pursuant to such certificate to assure compliance. In the event work is performed not in accordance with such certificate, the official designated by the County Manager pursuant to Section 16A-11(IX)[VIII] shall be empowered to issue a stop work order and all work shall cease. No person, firm or corporation shall undertake any work on such projects as long as such stop work order shall continue in effect.

(Ord. No. 81-13, § 13, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 03-38, § 14, 3-11-03)

Sec. 16A-15. Appeals.

Within twenty (20) days of the written decision of the Board, an aggrieved party may appeal the decision by filing a written notice of appeal with the Clerk of the Board of County Commissioners. The

notice of appeal shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Within sixty (60) days of the filing of the appeal or the first regular County Commission meeting which is scheduled, whichever is later in time, the County Commission shall conduct a public hearing at which time they may affirm, modify or reverse the decision of the Board. Nothing contained herein shall preclude the County Commission from seeking additional information prior to rendering a final decision. The decision of the County Commission shall be in writing and a copy of the decision shall be forwarded to the Board and the appealing party.

Within the time prescribed by the appropriate Florida Rules of Appellate Procedure, a party aggrieved by a decision of the County Commission may appeal an adverse decision to the Circuit Court in and for Miami-Dade County, Florida. The party taking the appeal shall be required to pay to the Clerk of the Board the sum of one hundred dollars ($100.00) to defray the costs of preparing the record on appeal.

(Ord. No. 81-13, § 14, 2-17-81; Ord. No. 82-99, § 1, 10-19-82)

Sec. 16A-16. Penalties.

Failure by an owner of record or any individual or private or public entity to comply with any provisions of this chapter shall constitute a violation hereof and shall be punishable by civil or criminal penalties including a fine not more than five hundred dollars ($500.00) per day for each day the violation continues and including a requirement that any work performed contrary to this chapter must be removed and the property returned to its condition prior to commencement of said action.

(Ord. No. 81-13, § 15, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 88-28, § 3, 4-19-88)

Sec. 16A-17. Incentives.

All properties designated as individual sites or as designated properties within a district shall be eligible, upon application by the owner(s), for any available financial assistance set aside for historic preservation by Metropolitan Miami-Dade County contingent on the availability of funds and the scope of the project as described in the application.

It is the policy of Miami-Dade County to assist the owners of historic properties through the development of a Conservation Easement Program to obtain applicable state and federal tax benefits, pursuant to sections 193.505 & 704.06, Florida Statutes and any other governing law, provided that the Board of County Commissioners shall approve the acceptance, terms, and conditions of any conservation easement before it is accepted by the County. The Historic Preservation Board may promulgate the rules for such Historic Conservation Easements and model covenants that shall be used by the County upon approval by the Board of County Commissioners. The Historic Preservation Board is authorized to apply for grants and other sources of funding for the creation of historic grant and loan programs. Any funds received shall be placed in a Historic Preservation Trust Fund and used only for the purposes for which they were received. The Historic Preservation Board is authorized to promulgate rules and model agreements for such a program which shall be used by the County upon approval by the Board of County Commissioners.

(Ord. No. 81-13, § 16, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 03-38, § 15, 3-11-03)

Sec. 16A-18. Tax exemptions for renovations for historic properties.

(a) *Scope of tax exemptions.* A method is hereby created for the Board of County Commissioners, at its discretion, to allow tax exemptions for the restoration, renovation, or rehabilitation of historic properties. The exemption shall apply to one hundred (100) percent of the assessed value of all improvements to historic properties which result from restoration, renovation, or rehabilitation made on or after the effective date of this ordinance. The exemption applies only to taxes levied by

Metropolitan Miami-Dade County. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida Constitution. The exemption does not apply to personal property. The exemption under this ordinance does not apply to properties within a community redevelopment area previously or hereafter established pursuant to Part III of Chapter 163, Florida Statutes, by either the Board of County Commissioners of Miami-Dade County or the governing body of any city or other municipality within Miami-Dade County.

(b) *Duration of tax exemptions.* Any exemption granted under this section to a particular property shall remain in effect for ten (10) years. The Board of County Commissioners shall have the discretion to set a lesser term if requested by the property owner in its original application and covenant. The term of the exemption shall be specified in the resolution approving the exemption. The duration of the exemption as established in the resolution granting the exemption shall continue regardless of any change in the authority of the County to grant such exemptions or any change in ownership of the property. In order to retain an exemption, however, the historic character of the property, and improvements which qualified the property for an exemption, must be maintained in their historic state over the period for which the exemption was granted.

(c) *Eligible properties and improvements.*

(1) Property is qualified for an exemption under this section if:

(A) At the time the exemption is granted the property:

(1) Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

(2) Is a contributing property to a national-register-listed district; or

(3) Is designated as a historic property, or as a contributing property to a historic district, under the terms of a local preservation ordinance; and

(B) The Metropolitan Miami-Dade County Historic Preservation Board has certified to the Board of County Commissioners that the property for which an exemption is requested satisfies paragraph (A).

(2) In order for an improvement to a historic property to qualify the property for an exemption, the improvement must:

(A) Be consistent with the United States Secretary of Interior's Standards for Rehabilitation; and

(B) Be determined by the Metropolitan Miami-Dade County Historic Preservation Board to meet criteria established in rules adopted by the Department of State.

(d) *Applications.* Any person, firm, or corporation that desires an ad valorem tax exemption for the improvement of a historic property must, prior to construction, file with the Office of Historic Preservation a written application on an approved form. The application must include the following information:

(1) The name of the property owner and the location of the historic property;

(2) A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements;

(3) Proof, to the satisfaction of the Miami-Dade County Historic Preservation Board, that the property this is to be rehabilitated or renovated is a historic property under this section;

(4) Proof, to the satisfaction of the Miami-Dade County Historic Preservation Board, that the improvements to the property will be consistent with the United States Secretary of Interior's Standards for Rehabilitation and will be made in accordance with guidelines developed by the Department of State;

(5) Other information identified in appropriate Department of State regulations, or requested by the Miami-Dade County Historic Preservation Board; and

(6) If the property is within the jurisdiction of the Miami-Dade County Historic Preservation Board, a completed application for a certificate of appropriateness for the qualifying restoration, renovation, or rehabilitation.

(e) *Required covenant.* To qualify for an exemption, the property owner must enter into a covenant or agreement with the Board of County Commissioners for the term for which the exemption is granted. The form of the covenant or agreement must be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in Section 212.12(3), Florida Statutes.

(f) *Review By Historic Preservation Board.* The Metropolitan Miami-Dade County Historic Preservation Board, or its successor, is designated to review applications for exemptions. The Miami-Dade County Historic Preservation Board must recommend that the Board of County Commissioners grant or deny the exemption. Such reviews must be conducted in accordance with rules adopted by the Department of State. The recommendation, and the reasons therefor, must be provided to the applicant and to the Board of County Commissioners before consideration of the application at an official meeting of the Board of County Commissioners.

(g) *Approval By Board of County Commissioners.* A majority vote of the Board of County Commissioners shall be required to approve a written application for exemption. Such exemption shall take effect as provided in the resolution. The Board of County Commissioners shall include the following in the resolution approving the written application for exemption:

(1) The name of the owner and the address of the historic property for which the exemption is granted.

(2) The period of time for which the exemption will remain in effect and the expiration date of the exemption.

(3) A finding that the historic property meets the requirements of this section.

(Ord. No. 93-15, § 1, 3-2-93; Ord. No. 99-90, § 2, 7-27-99; Ord. No. 03-38, § 16, 3-11-03)

Sec. 16A-19. Classification and assessment of historic property used for commercial or certain nonprofit purposes.

Miami-Dade County hereby elects to adopt the classification and assessment method provide in Section 193.503 of Florida Statutes (1997). Accordingly, subject to the definitions, conditions, and procedures established by that Section, Historic Property qualifying under that Section shall be assessed based upon actual use.

Any such classification shall terminate upon repeal of Section 193.503 Florida Statutes or the repeal or sunset of this provision.

(Ord. No. 99-90, § 1, 7-27-99)

Sec. 16A-20. Settlement Authority.

The Director of the Office of Historic Preservation has authority to settle any 8CC tickets issued to enforce this chapter. In making such a decision the Director shall consider the likelihood of prevailing and whether compliance was obtained.

(Ord. No. 03-38, § 17, 3-11-03)

FOOTNOTE(S):

--- (1) ---

Editor's note— At the editor's discretion, §§ 1—16 of Ord. No. 81-13, adopted Feb. 17, 1981, have been included as Ch. 16A of the Code. (Back)

Cross reference— Building code, Ch. 8; housing, Ch. 17; landscaping, Ch. 18A; planning generally, Ch. 23A; urban renewal, Ch. 30A; zoning, Ch. 33. (Back)

March 7, 2015

VIA EMAIL and HAND DELIVERY

Miami-Dade County Historic Preservation Board
Office of Historic Preservation
Stephen P. Clark Center
111 NW 1st St. - 12th Floor
Miami, FL 33128

RE: Bay Harbor Continental, Inc.
1135 103rd Street, Bay Harbor Island, Fl. 33154 ("Subject Property")

Dear Chairman Novick and Board Members:

It has come to our attention that at the Historic Preservation Board meeting on February 18, 2015, a petition for historic designation was submitted for our property, and the Board directed staff to prepare a designation report for the Bay Harbor Continental to bring back something that we had already endured in 2010, had opposed it and thought it to be resolved in our favor. Bay Harbor Continental, Inc. does not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on the property and its residents. Furthermore, we do not support nor want staff to continue the preparation of any designation report or any further consideration by the Board.

Bay Harbor Continental, Inc. is a cooperative owner of a residential property in Bay Harbor Islands, Florida which consists of 35 residential cooperative units. We are familiar with the Historic Preservation Board as well as the history of the site and considerations that have been taken in the past. In 2010 initiation of designation of the Bay Harbor Continental (1135 103rd Street) and the Bay Harbor Club Co-op (1155 103rd Street) began. Subsequent hearings were then scheduled in front of the Historic Preservation Board. Bay Harbor Continental, Inc. at that time expressed its vigorous opposition to the proposed designation of the building. We also expressed concerns over the negative impact designation would have on the property. The designation was subsequently withdrawn, and we believed we were free from this threat of historic designation.

Subsequent discussions by the Bay Harbor Continental Inc.'s unit owners resulted in the decision to list the property for sale with a real estate broker (Coldwell Banker) in 2013. This decision was influenced greatly by the fact that the designation had been withdrawn and we felt free to sell our property to the highest bidder. Bay Harbor Continental, Inc. moved forward with the sale of the property and in 2013 received three offers and selected the highest offer from a group that also demonstrated to be capable of developing something unique and responsible on the site. Bay Harbor Continental, Inc. approved the sale which culminated in 30 of the 35 members (86%) voting in favor of selling the Property when the requirement according to our By-Laws is 75%.

We are the owners of this building. This building is not a hotel or a tourist attraction. For many, it is homestead property, and the sale of the property will allow many of the individuals to retire. Bay Harbor Islands is a quiet bedroom community and we don't want to become a tourist attraction. Our building is a simple multi-family apartment building that has outlived its usefulness. The units are cramped, small, and some in poor condition. Keep in mind that these buildings on our island our built at ground level not like the new structures that are built above the base flood level. Being waterfront creates additional major concerns. The coming of a tidal surge could cause irreparable damage and could create a huge problem for our ground floor units. The building given its age has issues dating back to its original construction. A majority of our members are still paying a loan that we took several years ago for major repairs. A future of increased maintenance and special assessments creates a financial burden on all of our members. Over and above we have no financial reserves. Increased maintenance and assessments will create a situation that will cause a forced sale of units at a greatly reduced price simply because the owners will not have the funds to pay for these expenses.

We were very upset to learn that County staff in the summer of last year, without any consideration or communication with our residents, volunteered our building to the National Trust for Historic Preservation and actually actively promoted media attention through press releases. And now, without any public workshops, or presentations within our own community, and without inviting public input or input from the Town of Bay Harbor Islands, the Historic Board has decided to swiftly move forward to designate our property against our will.

Any further consideration of the potential designation of this property will significantly impact our lives. Our sale of this property is so far along, that it seems incomprehensible that the Board is even contemplating this at what seems to be the 11th hour. The closing is set for April and the buyers have already informed us that they themselves have incurred close to a million dollars on their site plan and design development and legal and other associated costs.

Your further pursuit of historic designation for our Private Property will create an enormous financial hardship on the lives of unit owners and all parties involved. Kindly halt any further actions on this matter.

Sincerely,

Robert Kolbert
President of The Bay Harbor Continental

cc.

Mayor Carlos Gimenez
Board of Commissioners of Miami-Dade County;
Members of the Town Council Town of Bay Harbor Islands;

May 5, 2015

Akerman LLP
Attn: Neisen O. Kasdin, Esq.
Steven J. Wernick, Esq.
1 SE 3rd Avenue, 25th Floor
Miami, Florida 33131

Re: Bay Harbor Continental, 1135 103rd Street
Representation in Filing Appeal of Historic Preservation Board Decision under Resolution No. 2015-06

Dear Mr. Kasdin and Mr. Wernick:

Bay Harbor Continental, Inc. hereby requests your continued representation in defending against the historic designation of the Bay Harbor Continental.

Specifically, we authorize you to file on our behalf an appeal of the April 15th decision by the County's Historic Preservation Board, urging the County Commission to overturn the Board's decision.

Bay Harbor Continental Inc., through a clear majority of residents, has consistently opposed the designation of the building from 2010 all the way through today.

Thank you for your continued assistance.

Sincerely,

Michael Hartman, its Vice-President
Bay Harbor Continental, Inc.

RE: Item — Bay Harbor Continental
Owner's Name — Becky MCIver
Unit # — F4
Property Address — 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I Becky MCIver certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

March 2, 2015
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2 day of March 2015,

By (Printed name of Affiant) Becky MCIver
who is personally known to me or who has produced FL Driver License M216-072-61-930-0
as identification and who did take an oath.

NOTARY PUBLIC

Sign Lynne O'Halpin
Print Lynne O'Halpin

State of Florida at Large (seal)
My Commission expires: 5/14/15

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015

(30407616;2)

RE: Item Bay Harbor Continental
Owner's Name JUNE ROBERT KOLBERT
Unit # 4 2
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I _____ certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

3-2-2015
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2 day of MARCH, 2015.

By (Printed name of Affiant) June Robert Kolbert
who is personally known to me or who has produced New York Driver License
as identification and who did take an oath. 708123038 - June
275120407 - Robert

NOTARY PUBLIC
Sign _____
Print _____

State of Florida at Large (seal)
My Commission expires: 5/16/15

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

{30407616;2}

RE: Item **Bay Harbor Continental**
Owner's Name
Unit # E 4
Property Address **1135 103rd Street, Bay Harbor Islands, FL 33154**

To the Historic Preservation Board:

I Mirta Selva certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Mirta D Selva
Signed Name of Affiant

3/2/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2 day of **MARCH**, 2015.

By (Printed name of Affiant) Mirta Selva
who is personally known to me or who has produced FL Driver's License
as identification and who did take an oath.

NOTARY PUBLIC

Sign Lynne O'Halpin
Print Lynne O'Halpin

State of Florida at Large (seal)
My Commission expires: 5/16/15

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryBonding.com

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name June Lantz
Unit # 3-1
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I June Lantz certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

3/4/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 4 day of **MARCH**, 2015.

By (Printed name of Affiant) JUNE LANTZ
who is personally known to me or who has produced FL DL L532-437-17-718-0
as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print BRIDGET ANNE MORIN

BRIDGET ANNE MORIN
MY COMMISSION # FF140013
EXPIRES: July 08, 2018

State of Florida at Large (seal)
My Commission expires:

{30407616;2}

RE: Item: Bay Harbor Continental
Owner's Name: MICHAEL HARTMAN
Unit #: D-2
Property Address: 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I MICHAEL HARTMAN certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

3.4.15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 4TH day of MARCH, 2015.

By (Printed name of Affiant) Michael Hartman
who is personally known to me or who has produced DRIVER'S LIC. # H635-547-48-167-0
as identification and who did take an oath.

NOTARY PUBLIC
Sign Nancy C. Bergamo
Print Nancy C. Bergamo

State of Florida at Large (seal)
My Commission expires: 3-10-17

NANCY C BERGAMO
Notary Public - State of Florida
My Comm. Expires Mar 10, 2017
Commission # EE 882149
Bonded Through National Notary Assn.

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name DAVID GOZLAN & AUDREY GOZLAN
Unit #
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I DAVID GOZLAN & AUDREY GOZLAN certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

26 February 2015
Date

Feb. 26 / 2015

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26th day of FEB/MARCH, 2015.

By (Printed name of Affiant) DAVID GOZLAN & AUDREY GOZLAN
who is personally known to me or who has produced DRIVERS LICENSE FROM QUEBEC
as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print BRIDGET ANNE MORIN
State of Florida at Large (seal)
My Commission expires:

BRIDGET ANNE MORIN
MY COMMISSION # FF140013
EXPIRES: July 08, 2018

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name MARJORY FUTTERMAN
Unit # SB
Property Address 1136 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I MARJORY FUTTERMAN certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

* See enclosed letter

Signed Name of Affiant

2/26/2015
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26th day of ~~MARCH~~ February, 2015.

By (Printed name of Affiant) Marjory Futterman
who is personally known to me or who has produced New York Driver License as identification and who did take an oath.

JORGE MARTINEZ
Notary Public - State of Florida
My Comm. Expires Nov 5, 2017
Commission # FF 068519

NOTARY PUBLIC
Sign Jorge Martinez
Print Jorge Martinez

State of Florida at Large (seal)
My Commission expires: Nov. 5, 2017

{30407616;2}

RE: Item: Bay Harbor Continental
Owner's Name: GLADYS SHARSHON AND LEO SCHATTLACK
Unit #: G-4
Property Address: 1136 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I GLADYS SHARSHON AND LEO SCHATTLACK certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

2/27/15
Date

Leo Schattlack

2/27/15

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 27th day of ~~MARCH~~ February, 2015.

By (Printed name of Affiant) Gladys Sharshon & Leo Schattlack who is personally known to me or who has produced NY Drivers Licenses as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print BRIDGET ANNE MORIN

State of Florida at Large (seal)
My Commission expires:

BRIDGET ANNE MORIN
MY COMMISSION # FF140013
EXPIRES: July 08, 2018

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name GERVAISE RACINE
Unit # C-5
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I GERVAISE RACINE certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

2-26-2015
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26 day of ~~MARCH~~ FEBRUARY, 2015.

By (Printed name of Affiant) Gervaise Racine
who is personally known to me or who has produced Driver license - Quebec, Canada R2504-010242-00 as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print Marlene Marante

State of Florida at Large (seal)
My Commission expires:

MARLENE MARANTE
Notary Public - State of Florida
My Comm. Expires Oct 18, 2018
Commission # FF 134509

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name Nancy Rose Peters
Unit # 622
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I Nancy Rose Peters certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

Feb 28 2015
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26 day of February MARCH, 2015.

By (Printed name of Affiant) Nancy Rose Peters
who is personally known to me or who has produced FL DL # P362-636-34-760-0 as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print Bridget Anne Morin
State of Florida at Large (seal)
My Commission expires:

BRIDGET ANNE MORIN
MY COMMISSION # FF140013
EXPIRES: July 08, 2018

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name LILLIAN HART
Unit # C-2
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I LILLIAN HART certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Lillian Hart
Signed Name of Affiant

2/26/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26 day of ~~MARCH~~ February, 2015.

By (Printed name of Affiant) Lillian Hart
who is personally known to me or who has produced FDL# H630520-35-508-0
as identification and who did take an oath.

NOTARY PUBLIC
Sign [signature]
Print Beatrice Chestnut

State of Florida at Large (seal)
My Commission expires:

BEATRICE CHESTNUT
MY COMMISSION # EF132[illegible]
EXPIRES: November 2, 2015
To: Notary Discount Assoc. Co.

{30407616;2}

RE: Item **Bay Harbor Continental**
Owner's Name JEFFREY KOSTER
Unit # F1
Property Address **1135 103rd Street, Bay Harbor Islands, FL 33154**

To the Historic Preservation Board:

I JEFFREY KOSTER certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

2/20/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26th day of ~~MARCH~~ February, 2015.

By (Printed name of Affiant) Jeffrey Koster
who is personally known to me or who has produced _____
as identification and who did take an oath.

NOTARY PUBLIC
Sign _____
Print Marlene Marante

State of Florida at Large (seal)
My Commission expires:

MARLENE MARANTE
Notary Public - State of Florida
My Comm. Expires Oct 18, 2018
Commission # FF 134509

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name Monique K Boudet
Unit # #B3
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I Monique Boudet certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Monique Boudet
Signed Name of Affiant

2/27/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 27th day of ~~February~~ MARCH 2015.

By (Printed name of Affiant) Monique Boudet
who is personally known to me or who has produced _____
as identification and who did take an oath.

BRIDGET ANNE MORIN
MY COMMISSION # FF 140013
EXPIRES: July 08, 2018

NOTARY PUBLIC
Sign Bridget Anne Morin
Print Bridget Anne Morin

State of Florida at Large (seal)
My Commission expires:

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name SOFIA ZADEIKA
Unit # E-1
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:
LONGIN ZADEIKA, ATTORNEY-IN-FACT FOR
I SOFIA ZADEIKA certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Longin Zadeika
Signed Name of Affiant

2/27/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 27th day of ~~MARCH~~ Febrary, 2015.

By (Printed name of Affiant) LONGIN ZADEIKA
who is personally known to me or who has produced FL. DRIVER LICENSE
as identification and who did take an oath.

BRIDGET ANNE MORIN
MY COMMISSION # [illegible]
EXPIRES: [illegible]

NOTARY PUBLIC
Sign [signature]
Print Bridget ANNE MORIN

State of Florida at Large (seal)
My Commission expires:

{30407616;2}

State of FLORIDA
County of MIAMI-DADE

The foregoing instrument was acknowledged before me this 27th day of February 2015 by LONGIN ZADGIKA, as attorney in fact, who ☐ is personally known to me or ☑ has produced a FL DL Z326502200 as identification on behalf of SONIA ZADGIKA, the principle, regarding the attached instrument described as PROTEST LETTER /PETITION TO HISTORIC PRESERVATION BOARD

and to whose signature(s) this notarization applies.

BRIDGET ANNE MORIN
MY COMMISSION # FF140913
EXPIRES: July 08, 2018

notary public signature

BRIDGET ANNE MORIN
notary public printed name

FL-2077-ACK

www.NotaryFL.com provides this form pursuant to Florida Statutes §695.25(4)

RE: Item: Bay Harbor Continental
Owner's Name: NYDIA L. GONZALEZ-SARRAIN
Unit #: D-7
Property Address: 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I NYDIA L GONZALEZ-SARRAIN certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

03-02-15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2 day of March 2015.

By (Printed name of Affiant) Nydia Gonzalez-Sarrain
who is personally known to me or who has produced FL. Driver license
as identification and who did take an oath. G524-632-32-530-0

NOTARY PUBLIC
Sign Lynne O'Halpin
Print Lynne O'Halpin

State of Florida at Large (seal)
My Commission expires: 5/16/15

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

{30407616:2}

RE: Item Bay Harbor Continental
Owner's Name RICHARD SCHMAELING
Unit # 5E
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I RICHARD SCHMAELING certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Richard Schmaeling
Signed Name of Affiant

2/26/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26th day of February, 2015.

By (Printed name of Affiant) Richard Schmaeling
who is personally known to me or who has produced _____
as identification and who did take an oath.

NANCY C BERGAMO
Notary Public - State of Florida
My Comm Expires Mar 14 2017
Commission # EE 862149
Bonded Through National ...

NOTARY PUBLIC
Sign Nancy C. Bergamo
Print NANCY C. BERGAMO

State of Florida at Large (seal)
My Commission expires:

(30407616;2)

RE: Item: Bay Harbor Continental
Owner's Name: WILLIAM ZUCKER
Unit #: B4
Property Address: 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I William Zucker certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

2/26/15
Date

STATE OF ~~FLORIDA~~ State of California
COUNTY OF ~~MIAMI-DADE~~ County of Los Angeles

The foregoing instrument was acknowledged before me this 26 day of February 2015.

By (Printed name of Affiant) WILLIAM ZUCKER
who is ~~personally known to me~~ or who has produced FLORIDA DRIVER LIC
as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print Sally J. Kim, Notary Public
State of ~~Florida~~ CALIFORNIA at Large (seal)
My Commission expires: 11-11-16

SALLY J. KIM
Comm. #1996582
Notary Public-California
Los Angeles County
Comm. Expires Nov 11, 2016

[30407616;2]

RE: Item: Bay Harbor Continental
Owner's Name: RICHARD SCHMAELING
Unit #: 5E
Property Address: 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I RICHARD SCHMAELING certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Richard Schmaeling
Signed Name of Affiant

2/26/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 26th day of February, 2015.

By (Printed name of Affiant) Richard Schmaeling
who is personally known to me or who has produced _____
as identification and who did take an oath.

NANCY C BERGAMO
Notary Public - State of Florida
My Comm. Expires Mar 10 2017
Commission # FF 89?149
Bonded Through Nation...

NOTARY PUBLIC
Sign Nancy C. Bergamo
Print NANCY C. BERGAMO

State of Florida at Large (seal)
My Commission expires:

{30407616;2}

RE: Item — Bay Harbor Continental
Owner's Name — Kathleen Weinstein
Unit # — A-4
Property Address — 1136 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I Kathleen Weinstein certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

3-2-15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2 day of March 2015.

By (Printed name of Affiant) Kathleen Weinstein who is personally known to me or who has produced FL Driver License W523-513-47-522-0 as identification and who did take an oath.

NOTARY PUBLIC

Sign Lynne O'Halpin
Print Lynne O'Halpin

State of Florida at Large (seal)
My Commission expires: 5/16/15

LYNNE M O'HALPIN
MY COMMISSION # EE094619
EXPIRES May 16, 2015
(407) 398-0153 FloridaNotaryService.com

(30407616:2)

RE: Item — Bay Harbor Condominium
Owner's Name — Peter A. Acosta
Unit # — 6A
Property Address — 1125 93rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I Peter A. Acosta certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 16, 2016 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Max M. Hagen POA
Signed Name of Affiant

3/3/16
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 3 day of 3 2016.

By (Printed name of Affiant) Max M. Hagen POA who is personally known to me or who has produced _____ as identification and who did take an oath.

CANDY CASWELL
Notary Public - State of Florida
My Comm. Expires Nov 18, 2018
Commission # FF 147780
Bonded Through National Notary Assn.

NOTARY PUBLIC
Sign Candy Caswell
Print: _____

State of Florida at Large (seal)
My Commission expires:

CANDY CASWELL
Notary Public - State of Florida
My Comm. Expires Nov 18, 2018
Commission # FF 147780
Bonded Through National Notary Assn.

(3040761&2)

Owner's Name: Bay Harbor Continental
Unit #: Patricia A Cawley
Property Address: A A-3
1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I Patricia A Cawley certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Patricia A. Cawley
Signed Name of Affiant

3/2/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2 day of March 2015.

By (Printed name of Affiant) PATRICIA CAWLEY
who is personally known to me or who has produced _____
as identification and who did take an oath.

NOTARY PUBLIC

Sign Jeffrey P. McHugh
Print JEFFREY P. McHUGH

State of Florida at Large (seal)
My Commission expires:

(3040761602)

RE: Item Bay Harbor Continental
Owner's Name MARTIN W. TAPLIN
Unit # D-5
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I MARTIN W. TAPLIN certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I **do not** support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

MARCH 4, 2015
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 4th day of **MARCH**, 2015.

By (Printed name of Affiant) MARTIN W. TAPLIN
who is personally known to me or who has produced N/A
as identification and who did take an oath.

NOTARY PUBLIC
Sign
Print OSMILDA SILVA

State of Florida at Large (seal)
My Commission expires:

OSMILDA SILVA
Notary Public - State of Florida
My Comm Expires Nov 12, 2017
Commission # FF 37000
Bonded Through National Notary Assn.

{30407616;2}

RE: Item Bay Harbor Continental
Owner's Name martin margulies
Unit # E-3
Property Address 1135 103rd Street, Bay Harbor Islands, FL 33154

To the Historic Preservation Board:

I martin margulies certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on February 18, 2015 that a petition for historic designation was submitted for our property by Lisa Mann. As a unit owner at the above address, I do not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property. Furthermore, I do not support nor want staff to continue to pursue preparing any designation report or any further consideration by the Board.

Signed Name of Affiant

3/11/15
Date

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ day of _____ 2015.

By (Printed name of Affiant) _____
who is personally known to me or who has produced _____
as identification and who did take an oath.

NOTARY PUBLIC

Sign _____
Print _____

State of Florida at Large (seal)
My Commission expires:

{30407616;2}

[redacted]

[redacted]

[redacted]

RE: Item **Bay Harbor Continental**
Owner's Name
Unit # #3
Property Address **1135 103rd Street, Bay Harbor Islands, FL 33154**

To the Board of County Commissioners:

I Louis F. Lezama certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on April 15, 2015, the County's Historic Preservation Board voted to designate the Bay Harbor Continental. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property.

Signed Name of Affiant

8/1/2015
Date

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2015.

By (Printed name of Affiant) _____
who is personally known to me or who has produced _____
as identification and who did take an oath.

NOTARY PUBLIC

Sign _____
Print _____

State of Florida at Large (seal)
My Commission expires:

RE: Item **Bay Harbor Continental**
Owner's Name Pierrette R. Woolley
Unit # F2
Property Address **1135 103rd Street, Bay Harbor Islands, FL 33154**

To the Board of County Commissioners:

I Pierrette R. Woolley certify that I am an owner of the property at the above address and location.

It has come to my attention that at the Historic Preservation Board meeting on April 15, 2015, the County's Historic Preservation Board voted to designate the Bay Harbor Continental. As a unit owner at the above address, I **do not** support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on my property.

Pierrette R. Woolley
Signed Name of Affiant

May 30th 2015
Date

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2015.

By (Printed name of Affiant) _____
who is personally known to me or who has produced _____
as identification and who did take an oath.

NOTARY PUBLIC

Sign _____
Print _____

State of Florida at Large (seal)
My Commission expires:

HISTORIC PRESERVATION BOARD
February 18, 2015, 2:00 p.m.
Miami-Dade Public Library System
101 C West Flagler Street
South Building Theater
Miami, FL 33130

E X C E R P T

ITEM

OTHER BUSINESS

Members of the Board
(Present)

Mitch S. Novick, Chairman
Gary Appel
Ruth Campbell
Adriana Cantillo
Rick Cohen
Paul George
Ronda Vangates

County Attorney's Office

Dennis Kerbel and Eddie Kirtley
Assistant County Attorneys

Staff

Kathleen Kauffman, Chief
Sara Cody, Preservation Planner
Jeff Ransom, Archeologist
Helen Rodriguez, Administrative Secretary

* * * * * * * * * * * * * * * * * * *

MR. KOSTER: People go by, they see the facades of the buildings. That's all they see. The Seaview Towers, whatever that one was, nobody goes into the courtyards.

CHAIRMAN NOVICK: All right. Can you sum it up? Wrap it up, please. Another five seconds.

MR. KOSTER: Please take into consideration that people live in these buildings and that there are economic problems involved buildings around.

CHAIRMAN NOVICK: Thank you.

Staff, I had requested you bring the -- what do you call it -- designation reports regarding the properties on 103 Street. Did you bring those with you today?

MS. KAUFFMAN: Yes, sir.

CHAIRMAN NOVICK: Do those buildings meet the criteria for designation?

MS. KAUFFMAN: They do. This Board considered those two properties in 2010.

CHAIRMAN NOVICK: Yeah.

MS. KAUFFMAN: And then we -- this Board decided to withdraw those items.

CHAIRMAN NOVICK: Okay. Are either of those buildings under threat of demolition today?

MS. KAUFFMAN: I can't --

CHAIRMAN NOVICK: You don't know.

MS. KAUFFMAN: -- answer that.

CHAIRMAN NOVICK: Okay. All right. Anyone else, please come forward, introduce yourself.

MR. DE LE TORRE: One of the buildings is under the threat of demolition. That is the one that Mr. Jeff Koster just talked about.

I'm Carlos De Le Torre.

CHAIRMAN NOVICK: Who are you and what's your address?

MR. DE LE TORRE: I live at 1135 103 Street.

CHAIRMAN NOVICK: So you live in one of those buildings?

MR. DE LE TORRE: I live in one of those buildings. I am also president of the association, but I am not here

representing the association. I'm here representing myself as a unit owner, just to make sure there is no conflict of interest.

CHAIRMAN NOVICK: Okay.

MR. DE LE TORRE: Okay. That is one of the buildings that is under threat of demolition and it is one those that you have designation report, I have myself, so you can take a look at.

CHAIRMAN NOVICK: Provide it to staff, please.

MR. DE LE TORRE: So that is one of the buildings that is up for demolition.

And there are several unit owners that are interested in maintaining the architectural integrity of the buildings as well as a historical foundation, some of which are not, but there are some that are. Just wanted maybe to clarify the point, that there are some people that are interested in maintaining that.

CHAIRMAN NOVICK: Okay. All right. Thank you.

MR. DE LE TORRE: Thank you.

CHAIRMAN NOVICK: Anyone else?

MR. COLBERT: Yes, my name is Robert Colbert. I'm a former resident of the Bay Harbor Continental. I'm probably the oldest resident chronologically. And my parents bought in two years after the building was built. When they passed away, my wife and I lived in the building for 22 years.

The building is deteriorating. My four children were born up in the building. I love that building originally.

The building -- people (inaudible) maintenance. The plumbing is historic, the roof is historic and the elevator is historic. That's about it.

Nothing else in the building is historic, except maybe the glass-like panes in the building.

Eighty percent of the building, 75% of the building do not -- do not want a historic designation. And I think all the things have their time and place and I think ours has come.

Mine has done me a great service, as I said, for almost 50 plus years, but I think the time comes for everything. And I am opposed to the historic designation.

Thank you very much.

CHAIRMAN NOVICK: Thank you.

How many more speakers do we have? I'm concerned about losing a quorum, or maintaining a quorum.

All right. We'll give everybody two minutes in that effort. So that's four speakers, 1, 2, 3, 4? Okay. Introduce yourself.

MR. SIMONE: Sure. My name is Frank Simone.

CHAIRMAN NOVICK: And cut to the chase, Frank.

MR. SIMONE: Sure. I'm the Assistant Town attorney for Bay Harbor Islands, with offices at 701 Brickell Avenue, Suite 1515.

The Town of Bay Harbor Islands has not been provided with notice of this meeting. We were not referenced in the agenda, yet we're the only municipality

highlighted in the presentation today.

CHAIRMAN NOVICK: Frank, we've been talking about Bal Harbor. We've discussed Surfside. I don't agree with your statement, but wrap it up.

MR. SIMONE: That was the only one that I recall seeing in the survey of 2010, but your code, 16A3-11, and other sections of the code, allows for municipality to request and receive assistance from the historic preservation office, together with the County Attorney's Office, regarding the historical designation matters.

We had requested on multiple occasions assistance and information regarding the activities of the Board and staff, specifically those within the Town. To date, we have not received much response, mostly silence.

There are certain members of our municipality. We feel that we're being excluded specifically from such discussions.

I'm here to, once again, ask and

request for information regarding the staff and the Board's activities and determinations within the Town for one reason, and let me cut to the chase.

We ask, because we think it will assist the Board, it will assist the Town Council and our residents with regard to information, and, more specifically, misinformation and the multiplicity of questions that you see here today that are and are not correct. We've always asked to be included so that we can have those discussions.

CHAIRMAN NOVICK: Frank, we'll give you 30 more seconds.

MR. SIMONE: That's all I request. That's all the Town requests.

CHAIRMAN NOVICK: Thank you.

MR. SIMONE: And we appreciate getting the information. Thank you.

MR. KERBEL: Mr. Chair.

MR. WASSON: Good afternoon. My name is Ron Wasson. I'm the Town Manager.

MR. KERBEL: Hold on a minute. I want to clarify one thing about the code

section that he cited.

CHAIRMAN NOVICK: Yes.

MR. KERBEL: It was 16A-3.1.1, about the request for technical assistance.

I think you've read into that section something that isn't actually there. It doesn't talk about notice of pending considerations by this Board. That's not to say that there isn't --

MR. SIMONE: It's not what I said, sir. What I said was merely that you're entitled to ask and receive, not for (inaudible), but many others. That's all we've asked for. Nothing more, nothing less. Thank you.

MR. WASSON: Good afternoon, Ron Wasson, Town Manager of Bay Harbor Islands.

CHAIRMAN NOVICK: What's your name?

MR. WASSON: Ron Wasson.

CHAIRMAN NOVICK: Ron Wasson.

MR. WASSON: 9665 Bay Harbor Terrace. I'll be brief.

Transparency and communication is all that I've ever asked for and what my

counsel has asked for. I know I speak to Kathleen on a regular basis. She has provided me some information on a survey.

I did not know that there was going to be a short presentation on Bay Harbor Islands.

Based on a lot of the discussion that happened today, I really feel that Bay Harbor Islands was on the agenda, but when you look at your agenda, it's not there. And I can appreciate everybody in this room has their heart set on historic preservation, there's people very passionate about it, but if you just invite the same people to the same meeting, you're the ones that do a discredit to yourselves, because you don't -- you get painted as not hearing the other side.

And I invite Kathleen to come to Bay Harbor Islands and talk to the Council and do the workshop. And we were promised. I've seen her do a fantastic one in Surfside. It was well-attended by the community, their Council was there, but

this information has to be brought to them, because what happens now, is you have people who panicked in the neighborhood, because they don't really know.

I won't go into details about the information. Just wanted to know what is the plan for Bay Harbor Islands. I've heard people say today districting. We're only two islands. If you district one island, that's like basically cutting our town in half. Would have a tremendous fiscal impact. That's something that obviously should be brought to the attention of the elected officials.

CHAIRMAN NOVICK: Okay. Could you wrap it up, please.

MR. WASSON: We were promised that by the Deputy Mayor, that we would have that information.

I just implore you. We have had discussions by -- we've had meetings in the past and discussed this over the years. And it has gone nowhere. I invite you to come again briefly and get that

information out, because you're the ones who will look bad at the end.

CHAIRMAN NOVICK: Thank you.

Anyone else?

MS. KAUFFMAN: While he's getting ready, can I put something on the record, please?

CHAIRMAN NOVICK: Yes, please.

MS. KAUFFMAN: So we have absolutely been in touch with Ron Wasson, the Town attorney. We've noticed him of these meetings.

CHAIRMAN NOVICK: What, Ronda, have to stay. You understand the nature of this? You understand the nature of this. You need to stay. It's a big responsibility, please.

MS. VANGATES: Till 4:15. Then I got to go.

MS. KAUFFMAN: What?

CHAIRMAN NOVICK: Okay. Ronda is going to need to go at 4:15. Are we going to have a quorum?

MS. KAUFFMAN: You will.

CHAIRMAN NOVICK: Okay.

MS. KAUFFMAN: But I wanted to put on the record that we absolutely been in contact with them, noticing them of these meetings and have provided them all the information that they've asked us in all their public records request.

We get public records requests from the Town of Bay Harbor Islands probably once a week.

The couple of slides that referenced Bay Harbor Island was from the 2010 survey. So we have not completed the resurvey. And at that point, you know, of course, we are going -- we are planning on presenting it to their Town commission.

CHAIRMAN NOVICK: Okay. Thank you.

Mr. Ciraldo.

MR. CIRALDO: Hi, Mr. Chair, Members of the Board, Daniel Ciraldo. I'm the Historic Preservation Officer of the Miami Design Preservation League, but today I'm speaking on my own personal behalf. I'll be very brief.

I think that we're at a tipping point right now in some of these neighborhoods

where you have people that come out, Bay Harbor, Bal Harbor and Surfside. Surfside has already gotten started, but Bay Harbor and Bal Harbor are right at a point, where if you guys don't start right now in terms of identifying and protecting these areas, it's going to tip too far in the direction of having no charm and no character.

You're going to always have these people that's going to come out that say they had no idea. It's funny, because there's like 20 of them in the back that obviously have a full idea of what's going to be discussed.

But that being said, of course, communication is very important with the property owners, with the Town, et cetera, but let's not keep pushing this down the road, can down the road, because I think there's probably less than 6 to 8 months. And, you know, everybody is hoping that maybe you guys are going start to site Bay Harbor and now Bal Harbor.

So I would please urge you -- at this meeting, a lot of people waited a very

long time. I think now is the time to do something serious, if you get the process started, so that there isn't uncertainty for the property owners. There should be a set period. There should be specific processes followed, which are in your code. And I just hope you can please start this today and let's move on. Thank you.

CHAIRMAN NOVICK: Thank you.

Anyone else? So is this the last speaker? Two more speakers. Okay.

MS. MANN: Hi, my name is Lisa Mann. I'm at 1135 103 Street. I'm here, because -- I guess you can't put Humpy Dumpy back together again. I'm not going to go into long discussions on what everybody said.

MS. KAUFFMAN: Can you speak into the mike?

MS. MANN: But you drive down east and west Bal Harbor, and you can't even drive your car, because there's so much construction and demolishing of old buildings. You see one go; you see two go; you see five go; you see two go right

next to each other.

So we're hoping to save and we want to put in our request for the designation of the Continental building. It is crucial. Everybody is working very quickly to try and get the building demolished. And it would be a very sorry day.

It is needing work, but it's because people are so fixated on not putting any money or putting any time into it, because they're going to sell it, instead of taking care of and cherishing what's there.

CHAIRMAN NOVICK: Thank you.

MS. KLEPSER: Good afternoon. Carol Klepser, historian of Miami Beach. I live at 2445 Lake Pen Coast Drive, Miami Beach. You may or may not consider Miami Beach (inaudible) in this context, but historic preservation has been very successful, as you know, in Miami Beach.

I feel like I'm preaching to the choir, since we all know the value of the historic preservation.

I just wanted to applaud your designation today on the Seaside Terrace and Surfside, but as we saw on the screen, it has a huge tower and condominium on either side of it, and the neighborhood context has been lost, the context of the Seaside village, which is how Surfside started out.

I know, I'll be brief. The point I want to make is the designation shouldn't be done on a building-by-building basis. That's just piecemeal, because then you lose the neighborhood context. This should be done by districts. The whole is greater than the sum of its parts. And that goes for Bal Harbor, Bay Harbor Islands and Surfside, the other district (inaudible) familiar with.

In Bal Harbor, it's a shame we lost the Americana Hotel. There are still a couple of hotels, older buildings on the ocean side of Collins Avenue. And the whole west side of Collins Avenue has wonderful treasures of buildings that are actually intact and still has that

neighborhood context.

My fear is that as soon as the word goes out that the survey is being done, the buildings are being looked at, it becomes open season on demolition permits.

I understand the moratorium goes into effect as soon as the report is completed, but that leaves a huge loophole and I wonder if there's something to close that.

CHAIRMAN NOVICK: I believe, to clarify your suggestion, that this Board has, within its purview, power to instruct staff to begin to evaluate these structures. And at that moment, a moratorium or a -- what's it called -- is put into effect.

MS. KAUFFMAN: The moratorium begins at the point the report is given to this Board, is filed.

CHAIRMAN NOVICK: So if this Board find within its wisdom, hey, we want these buildings protected, I'm under the impression that today the moratorium kicks in and you have 30 days or 60 days to provide us a report.

MS. KAUFFMAN: No.

CHAIRMAN NOVICK: Yes.

MS. KAUFFMAN: Once the report is filed with the Board, that's what kicks in the moratorium.

MR. KIRTLEY: That's correct.

CHAIRMAN NOVICK: I don't agree with that.

MR. KIRTLEY: She's right, it's the filing of the designation report that triggers the moratorium.

CHAIRMAN NOVICK: Okay. I don't agree with that, but other -- so the public portion of this item is closed, and I would defer to my colleagues.

I'll tell you what I would like to see. I'd like us to begin this process and offer protections for all these buildings that have been referenced: The Seaview, Carlton Terrace, the church, Bay Harbor Island. I think it's within our power. It's our charge. And we can't continue to kick the can down the road. We need to act. These communities are -- we see the impact that these demolitions

have had on these communities. And --

MR. KERBEL: Mr. Chair.

CHAIRMAN NOVICK: How should we proceed?

MR. KERBEL: If I could suggest what would be an appropriate motion since there isn't a report in front of you on these particular buildings. You could direct staff to begin the process of preparing a report to analyze the structures that you're interested in preserving. And then at the appropriate time, they would present the report to you.

Since you mentioned the church, I did want to point out, I'm sure the Board is aware, churches are governed by slightly different standard than other buildings.

CHAIRMAN NOVICK: As Mr. Shubin correctly pointed out.

MR. KERBEL: Yes, and so that would be obviously taken -- that would be part of staff's report.

CHAIRMAN NOVICK: Part of it. Also the --

MR. KIRTLEY: She has the report.

MR. KERBEL: Oh, okay. And actually --

MS. KAUFFMAN: That was second by --

MR. KERBEL: I stand corrected. We've received petition -- are these the owners, are they owners -- of the 1135 103 Street, for which a report has already been prepared. And so this one you could direct to go forward with it. In that case, the moratorium would kick in, because this is what --

CHAIRMAN NOVICK: Okay. So let's begin with that one.

MR. KERBEL: Well, actually --

BOARD MEMBER GEORGE: Were there two buildings that there's existing designation reports?

MR. KERBEL: Sorry?

MR. GEORGE: Were there two buildings that there were existing designation reports?

MS. KAUFFMAN: We did. We originally did two buildings.

CHAIRMAN NOVICK: So let's begin with those two. So that one -- those two

buildings will -- according to the County Attorney's Office, zoning in progress will kick in today.

BOARD MEMBER GEORGE: Mr. Chairman, please, let me jump in for a second. We've got a whole lot -- we've got a whole lot of balls in the air now. And I'm with you. But I think what we need to do is more clearly define where we're going.

I think that these are -- because the buildings are in different neighborhoods and different municipalities, I think that rather than an omnibus --

CHAIRMAN NOVICK: No, no, I agree.

BOARD MEMBER GEORGE: -- we can't talk about something that's separate, but package piece by piece by piece.

CHAIRMAN NOVICK: Absolutely.

MR. GEORGE: And I think we need clarity what has been handed to us, for the sake of both myself and the Board members.

Somebody from the public, from I'm presuming Bay Harbor has presented us with a report that they have written up about a

particular building. Is that correct?

MS. KAUFFMAN: Lisa Mann handed this to us. This is a petition to designate.

CHAIRMAN NOVICK: The two buildings on 103 Street?

MS. KAUFFMAN: No, Bay Harbor Continental.

CHAIRMAN NOVICK: What's the address?

MS. KAUFFMAN: 1135 103 Street.

CHAIRMAN NOVICK: Okay. So I'd like to see this Board --

BOARD MEMBER GEORGE: So let's take this by itself right now and not talk about anything else.

CHAIRMAN NOVICK: I fully agree.

Public hearing is closed, ma'am.

MS. KAUFFMAN: Can you clarify for the record that you requested us to bring --

CHAIRMAN NOVICK: Yes.

MS. KAUFFMAN: -- those designation reports yesterday?

CHAIRMAN NOVICK: Yes, that is correct. I sent an email over the weekend requesting staff to bring and provide us

with those reports.

It's closed. Thank you.

UNIDENTIFIED SPEAKER: Don't you need 75% of the unit owners in a condominium to give a petition?

MR. KERBEL: No, no.

CHAIRMAN NOVICK: No, but thank you.

MR. KERBEL: And this is -- just for clarification, these are unique, because they were reports and they were reports that were previously prepared and presented to this Board.

We're actually in sort of uncharted waters here, because the reports were previously prepared and presented and then the Board opted not to pursue them at that time. So we actually don't have a code provision that directly speaks to what is within the Board's authority in terms of the moratorium, once a report is filed, but then not acted upon about having the moratorium kick in.

At the very least, you could direct staff to pursue the designation report and then -- we have to take a quick look.

CHAIRMAN NOVICK: Okay.

MR. KERBEL: If there's additional public notice required, we could have the moratorium kick in the next month.

CHAIRMAN NOVICK: Very well.

MR. KERBEL: At your next meeting. We'll take a look at that and decide.

CHAIRMAN NOVICK: Sorry, ma'am, it's closed.

UNIDENTIFIED SPEAKER: There was no notice, though. There was no initiation of the process. Like the Board has to direct staff to initiate the designation.

BOARD MEMBER GEORGE: We're looking at counsel here for advice.

CHAIRMAN NOVICK: The public hearing is closed, ma'am. Thank you.

MR. KERBEL: As I had said, this report was previously prepared by staff and presented to this Board.

CHAIRMAN NOVICK: Yes.

MR. KERBEL: But it was some time ago, so --

UNIDENTIFIED BOARD MEMBER: What year was it submitted to the Board?

MR. KERBEL: December, December of 2010.

CHAIRMAN NOVICK: Yeah.

MR. KERBEL: So in light of the fact that it was not specifically on an agenda, I want to think through whether it's appropriate to say the moratorium kicks in.

CHAIRMAN NOVICK: Okay.

MR. KERBEL: But, again, you have a designation report that was prepared. You can direct staff to start to act upon that.

CHAIRMAN NOVICK: So this Board can make a motion directing staff to prepare the preliminary evaluation and designation report.

Is that correct, staff?

MR. KERBEL: Just bear with us a minute.

CHAIRMAN NOVICK: Sure.

MR. KERBEL: Hold on.

And what's complicating -- what's complicating this, and the reason that we're taking so long to look at this is

because, in the case of -- what building is that.

MS. KAUFFMAN: 1135.

MR. KERBEL: In the case of 1135 103 Street, we have an owner petition that has been presented today.

CHAIRMAN NOVICK: Okay.

MR. KERBEL: So that's what we're looking at.

CHAIRMAN NOVICK: Okay.

BOARD MEMBER GEORGE: Mr. Chair, I see this as a first step or a baby step anyway.

CHAIRMAN NOVICK: Yeah.

BOARD MEMBER GEORGE: This opens up this whole issue of studying this, of questions of possible designation. We're just at the very beginning of this particular case.

CHAIRMAN NOVICK: Yeah, so we should proceed.

BOARD MEMBER GEORGE: Yeah.

BOARD MEMBER VANGATES: While we wait on that, I have a question for Kathleen.

CHAIRMAN NOVICK: Sure.

BOARD MEMBER VANGATES: Kathleen, was the report disseminated to all members of the committee or just the chairman?

MS. KAUFFMAN: I'm sorry?

BOARD MEMBER VANGATES: The report that you referred to that was completed in 2010, and requested by the Board chair, was it provided to everyone on the committee?

MS. KAUFFMAN: I have copies. He just emailed me, so I have copies.

BOARD MEMBER VANGATES: I have a little bit of uneasiness about that, because we haven't had a chance to review it formally and make a recommendation.

MR. KERBEL: I understand.

CHAIRMAN NOVICK: Hey, folks, folks. He's out of order. Hey, hey.

MR. KERBEL: Because the code is -- yeah, because the code is silent about this --

CHAIRMAN NOVICK: Folks, contain yourselves back there.

Yeah.

MR. KERBEL: In an abundance of

caution, because the process, as you saw a couple meetings ago, was an owner petition was on the agenda before you, you took action and directed staff to come back with a report and then they prepared the report.

In this case, we happen to already have the report, now we have an owner petition, but because it wasn't specifically on the agenda, I'm going to advise you, in an abundance of caution, you can direct staff to bring back the report next meeting to trigger the process and that will trigger all of the notice.

CHAIRMAN NOVICK: Got you.

MR. KERBEL: Even though -- because anyone who got notice of that process before informed that it was dead for the time being, because it was four years ago, so that's an appropriate motion.

BOARD MEMBER GEORGE: So let's go ahead and move then, Mr. Chairman, I'll go ahead and move then that we are going to bring this back at the next meeting as a beginning step in the process of

considering designation for this particular building. And we need the address, again, for the record, of course.

UNIDENTIFIED BOARD MEMBER: We need a police officer here. We need a sergeant at arms in here.

CHAIRMAN NOVICK: I'll second that motion. Folks, there's a motion and a second. I got the second.

All those in support, indicate by saying aye?

BOARD MEMBERS COLLECTIVELY: Aye.

CHAIRMAN NOVICK: Any opposed? Okay.

MR. KERBEL: So then that report will come back to the next meeting.

CHAIRMAN NOVICK: So that one is coming back in a month.

The abutting building, or for Bay Harbor Islands.

MR. KERBEL: Which one is the other one that had the report?

Mr. Chair, did you want to take up the other building for which a report was previously prepared?

CHAIRMAN NOVICK: Yes.

MR KERBEL: So, Kathleen, do we have the report?

CHAIRMAN NOVICK: Folks, folks, folks folks, whatever is going on back there, it has to end or please exit the meeting.

Okay. The other property that staff has prepared a report for, what's the address?

MS. KAUFFMAN: That other one that we had done a report for is 1155 103 Street.

CHAIRMAN NOVICK: Okay. So, Dr. George.

BOARD MEMBER GEORGE: Okay. So we're going to move then to begin the process of considering for historic designation the property that Ms. Kauffman just listed by address.

We'll need a second.

CHAIRMAN NOVICK: Okay, I'll second that.

All those in support, indicate by saying aye.

BOARD MEMBERS COLLECTIVELY: Aye.

CHAIRMAN NOVICK: Any opposed? Okay, that passes unanimously.

Now, for the remainder of Bay Harbor Island, can we create or pass some motion, which offers blanket protection to those buildings built prior to 1965?

MR. KERBEL: No.

MS. KAUFFMAN: I don't think so.

CHAIRMAN NOVICK: No.

MR. KERBEL: You can ask staff what you want them to investigate and prepare reports about. And then when the report is prepared and put back on your agenda and the appropriate notices go out, then you'll have something that you can take action on to provide that.

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I, Lorena Ramos, National Registered Professional Reporter, do hereby certify that I was authorized to and did stenographically TRANSCRIBE the aforementioned OTHER BUSINESS item excerpt, held before the Miami-Dade County Historic Preservation Board on the 18th day of February 2015; and that the foregoing transcript, pages 1 through 32, is a true record of the AUDIO DIGITAL hearing, to the best of my ability.

DATED this 30th day of April 2015, in the City of Miami, Miami-Dade County, Florida.

Lorena Ramos

LORENA RAMOS, COURT REPORTER

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zoning [1] - 22:2

Miami-Dade County Historic Preservation Board
Minutes of the February 18, 2015 Meeting

History Miami
101 C West Flagler Street
South Building Theatre
Miami, FL 33130

I. ROLL CALL

The meeting was called to order by Chair Mitch Novick at 2:10 pm.

Board Members		**Staff Members Present**
Gary Appel	Present	
Ruth Campbell	Present	Kathleen Kauffman
Adriana Cantillo	Present	Sarah Cody
Rick Cohen	Present	Jeff Ransom
Paul George	Absent	Helen Rodriguez
Robert McKinney	Absent	
Mitch S. Novick, Chair	Present	
JoEllen Phillips	Present	Eddie Kirtley & Dennis Kerbel
Enid C. Pinkney	Present	Assistant County Attorneys
Edmundo Perez	Absent	
Ronda Vangates	Present	

II. APPROVAL OF MINUTES

JoEllen Phillips moved for approval of the December 18, 2014 minutes. **Adraiana Cantillo** seconded the motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Edmundo Perez	Absent
Ronda Vangates	Yes

III. PUBLIC HEARINGS

A. **Swearing in of the Public: Lorena Ramos, Certified Court Reporter:** Swore in members of the public who would be testifying before the Board.

B. **Requests for Deferrals:** There were no requests for deferrals.

Chair Novick indicated that since the **public hearings** cannot start until 2:15, is there any other business that can be taken care of before then?

Kathleen Kauffman, Chief, indicated that the board could elect the Board Chair for the year.

Mitch Novick, Chair: Are there are nominations?

Richard Cohen, Board Member nominated Mitch Novick and **Gary Appel** seconded the Motion. **Mitch Novick, Chair** agreed to serve as Chair for one more year. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Edmundo Perez	Absent
Ronda Vangates	Yes

APPROVAL OF THE SUNSET REVIEW REPORT

Kathleen Kauffman, Chief: Every two years, the County Commission requests that the various County boards submit a report to the County Commission documenting the activities and projects that they are working on. There is a questionnaire that discusses basic facts about the board and some of the work load performed by staff, and then included is a Sunset Review Report that features some of the great projects and initiatives the Board has accomplished over the last two years, including the designation of the Pan Am Regional headquarters, the listing of the Arden "Doc" Thomas House to the National Register of Historic Places, a couple of designations in Surfside, and the completion of the Richmond Naval Air Station Phase 1 rehabilitation. We are also in the beginning stages of reviewing the restoration of Opa Locka City Hall; the Hampton House Motel is nearing completion and is scheduled to open in the next couple of months.

We are continuing the restoration of the three homes in the MacFarlane Historic District, those are listed in the National Register of Historic Places. Work continues on the restoration of the

Surf Club in Surfside and our archaeologist has been very busy both at Galloway Cemetery and at the Deering Estate. The Deering Estate received a state grant to do a comprehensive archaeological survey, which is very exciting. The County Commission requires that this report be reviewed and approved by the Board, so that would be the Motion that I would need.

Mitch Novick, Chair: Thanks staff for producing an excellent report.

Richard Cohen made the Motion to approve the Sunset Review Report. **Enid Pinkney** seconded the Motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Edmundo Perez	Absent
Ronda Vangates	Yes

C. PUBLIC HEARING ITEMS:

PH1. Ad Valorem Tax Exemption Application
Seville Hotel
2901 Collins Avenue
Miami Beach, FL 33140

Motion to move forward to the Board of County Commissioners with a recommendation to approve the tax abatement made by **Ronda Vangates**. 2nd by **JoEllen Phillips.** Motion approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Edmundo Perez	Absent
Ronda Vangates	Yes

PH2. Ad Valorem Tax Exemption Application
Cabana/Allison Hotel
6261 Collins Avenue
Miami Beach, FL 33140

Motion to move forward to the Board of County Commissioners with a recommendation to approve the tax abatement made by **Rick Cohen**. 2nd by **Enid Pinkney.** Motion approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Edmundo Perez	Absent
Ronda Vangates	Yes

Board member **Paul George** arrived at 2:33.

PH3. Historic Site Designation
Seaside Terrace
9241 Collins Avenue
Surfside, FL 33154

Motion to approve the designation for Seaside Terrace made by **Dr. Paul George.** 2nd by **Rick Cohen.** Motion approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Edmundo Perez	Absent
Ronda Vangates	Yes

IV. OLD BUSINESS

OB1. Discussion on Areas of the County in Need of Preservation.

Approximately 18 people spoke to the Board regarding their support or their opposition to historic preservation in their communities. Most of the speakers were from Bal Harbor, Bay Harbor Islands, and the Town of Surfside.

Owners from 1135 103rd Street, the Bay Harbor Continental Apartments submitted a petition to designate the property. It was noted by Board members that this property was one of the buildings brought before this board about four years ago for designation, but the designation was withdrawn. There was discussion as to the neighboring property, the Bay Harbor Club, as being the other building that had been proposed for designation at that time.

During this discussion item board members JoEllen Phillips and Enid Pinkney had to leave the meeting.

Chair Novick asked if there was any way the Board could offer some kind of protection or moratorium for all of the buildings that had been mentioned during the public's commentary. The County Attorney's office advised that no, that is not the way the designation process can work.

Motion was made by **Dr. Paul George** to direct staff to bring back a designation report to the next meeting for the Bay Harbor Continental, located at 1135 103rd Street. 2nd by **Mitch Novick.** Motion was approved.

Gary Appel	Yes	Mitch S. Novick	Yes
Ruth Campbell	Yes	JoEllen Phillips	Absent
Adriana Cantillo	Yes	Enid Pinkney	Absent
Rick Cohen	Yes	Edmundo Perez	Absent
Paul George	Yes	Ronda Vangates	Yes
Robert McKinney	Absent		

Motion was made by **Dr. Paul George** to direct staff to bring back a designation report to the next meeting for the Bay Harbor Club, located at 1155 103rd Street. 2nd by **Mitch Novick.** Motion was approved.

Gary Appel	Yes	Mitch S. Novick	Yes
Ruth Campbell	Yes	JoEllen Phillips	Absent
Adriana Cantillo	Yes	Enid Pinkney	Absent
Rick Cohen	Yes	Edmundo Perez	Absent
Paul George	Yes	Ronda Vangates	Yes
Robert McKinney	Absent		

There had been much discussion and public commentary about the Church by the Sea in Bal Harbor. Some of the members of the congregation asked the Board to consider it for designation. Board members felt they did not know enough about the building or about the potential sale to the Bal Harbor Shops, and so did not take any action on that item at this time.

Board member Ronda Vangates had to leave the meeting.

The Board then had a discussion about Staff's current effort to revise the original Bay Harbor Islands survey done in 2010. **Chair** Novick wanted the updates to be brought back within 30 days. Other members of the Board felt that was not enough time. A motion was made by **Dr. Paul George** for Staff to come back to the Board in two months with updates to the previous survey. 2nd by **Gary Appel.** Motion passed, 5-1.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch S. Novick	No
JoEllen Phillips	Absent
Enid Pinkney	Absent
Edmundo Perez	Absent
Ronda Vangates	Absent

V. NEW BUSINESS

There was no new business.

VI. ADJOURNMENT

Chairman Mitch Novick adjourned the meeting at 4:45.

Kathleen Kauffman, Historic Preservation Chief
Office of Historic Preservation

Date

EXHIBIT B

February 10, 2014

Miami Dade County
Office of Historic Preservation
Stephen P. Clark Center
111 NW 1st St. - 12th Floor
Miami, FL 33128

To Whom It May Concern:

We would like to petition the County's Historic Preservation Board of begin the process to designate our building the Bay Harbor Continental Inc. as historical. The building is located at 1135 103rd Street, Bay Harbor Islands, Fl 33154. The building is a wonderful example of MIMO architecture, and was designed by a prominent architect by the name of Charles McKirahan who has had other works designated by the National Register of Historic Places.

Thank You,

Carlos De La Torre

Lisa Mann

Clara Reed

Solomom Nehmad

Pascual Innamorato

HISTORIC PRESERVATION BOARD
AGENDA

Wednesday, February 18, 2015
at 2:00 p.m.

History Miami
101 C West Flagler Street
South Building Theatre
Miami, FL 33130

I. ROLL CALL

II. APPROVAL OF MINUTES
December 18, 2014

III. PUBLIC HEARING – public hearing items may not start before 2:15 p.m.

A. Swearing in of the Public

B. Requests for Deferral

C. Public Hearing Items

PH1. Ad Valorem Tax Exemption Application
Seville Hotel
2901 Collins Avenue
Miami Beach, FL 33140

PH2. Ad Valorem Tax Exemption Application
Cabana/Allison Hotel
6261 Collins Avenue
Miami Beach, FL 33140

PH3. Historic Site Designation
Seaside Terrace
9241 Collins Avenue
Surfside, FL 33154

IV. OLD BUSINESS ITEMS

OB1. Discussion on Areas of the County in Need of Preservation

V. NEW BUSINESS

A. Public Comment

* Public comment on any agenda item that is not a public hearing.

B. Requests for Deferral

C. New Business Items

NB1. Election of Board Chair
NB2. Approval of Sunset Review Report
NB3. Submittal of Historic Preservation Activities Report
NB4. Chair's Report
NB5. Director's Report

VI. ADJOURNMENT

PROCEDURES FOR ALL PUBLIC HEARING ITEMS

Anyone who wishes to speak on a public hearing item, you must stand and be sworn in by the Chair of the Board at the beginning of the meeting. Prior to speaking for the item, please be sure to state your name and address for the record.

Public decorum is required of all persons present. Individuals acting in a disorderly or disruptive manner shall be required to leave. The order for agenda items, generally, shall be as follows:

A. Ad-valorem applications, Special Certificates of Appropriateness (COAs)

1. Staff provides a report regarding the application
2. Applicant may provide comments/clarifications (if needed)
3. Public comment (Board Chair allots, and may limit, time for each speaker)
4. The Public Hearing is closed by the Chair
5. The Board deliberates and votes

B. Designation Applications (Historic or Archaeological)

1. Staff provides a report regarding the designation request
2. Petitioner for designation may provide additional comments
3. Public comment (Board Chair allots, and may limit, time for each speaker)
4. Response to Public Comments may be made by Petitioner or Staff
5. The Public Hearing is closed by the Chair
6. The Board deliberates and votes

HISTORIC PRESERVATION BOARD
AGENDA

Wednesday, March 18, 2015
@ 2:00 p.m.

Stephen P. Clark Center
111 NW 1st Street
22nd Floor Rear Conference Room
Miami, FL 33128

I. ROLL CALL

II. APPROVAL OF MINUTES
February 18, 2015

III. PUBLIC HEARING – public hearing items may not start before 2:15 p.m.

A. Swearing in of the Public – Lorena Ramos, Court Reporter

B. Requests for Deferral

C. Public Hearing Items

PH1. Ad Valorem Tax Exemption Application
5420 North Bay Road
Miami Beach, FL 33140

PH2. Special COA# 2015-01-S
Hampton House
4240 NW 27th Avenue
Miami, FL 33142

PH3. Historic District Designation
Roughly bounded by Collins & Harding Avenues
And 90th-91st Streets
Surfside, FL 33154

IV. PUBLIC COMMENT
The public may comment on any agenda item that is not a public hearing.

V. OLD BUSINESS ITEMS

VI. NEW BUSINESS

NB1. Requests for Deferral

NB2. Filing of Report - Bay Harbor Continental, 1135 103rd Street, Bay Harbor Islands, FL 33154

NB3. Filing of Report - Bay Harbor Club, 1155 103rd Street, Bay Harbor Islands, FL 33154

NB4. Discussion on Lincoln Memorial Cemetery

NB5. Chair's Report
NB6. Director's Report

VII. ADJOURNMENT

PROCEDURES FOR ALL PUBLIC HEARING ITEMS

Anyone who wishes to speak on a public hearing item, you must stand and be sworn in by the Chair of the Board at the beginning of the meeting. Prior to speaking for the item, please be sure to state your name and address for the record.

Public decorum is required of all persons present. Individuals acting in a disorderly or disruptive manner shall be required to leave. The order for agenda items, generally, shall be as follows:

A. Ad-valorem applications, Special Certificates of Appropriateness (COAs)

1. Staff provides a report regarding the application
2. Applicant may provide comments/clarifications (if needed)
3. Public comment (Board Chair allots, and may limit, time for each speaker)
4. The Public Hearing is closed by the Chair
5. The Board deliberates and votes

B. Designation Applications (Historic or Archaeological)

1. Staff provides a report regarding the designation request
2. Petitioner for designation may provide additional comments
3. Public comment (Board Chair allots, and may limit, time for each speaker)
4. Response to Public Comments may be made by Petitioner or Staff
5. The Public Hearing is closed by the Chair
6. The Board deliberates and votes

Miami-Dade County Historic Preservation Board
Minutes of the March 18, 2015 Meeting

Stephen P. Clark Center
111 NW 1st Street
22nd Floor Rear Conference Room
Miami, FL 33128

I. ROLL CALL

The meeting was called to order by Chair Mitch Novick at 2:05 pm.

Board Members		**Staff Members Present**
Gary Appel	Absent (arrived at 2:10 p.m.)	
Ruth Campbell	Present	Kathleen Kauffman
Adriana Cantillo	Present	Sarah Cody
Rick Cohen	Present	Jeff Ransom
Paul George	Absent (arrived at 2:16 pm)	Helen Rodriguez
Robert McKinney	Absent	
Mitch S. Novick, Chair	Present	
JoEllen Phillips	Present	Eddie Kirtley & Dennis Kerbel
Enid C. Pinkney	Present	Assistant County Attorneys
Ronda Vangates	Present	

II. APPROVAL OF MINUTES

Chair Novick: Asks if Staff will have something ready for next month concerning the survey of the East Island for Town of Bay Harbor Islands.

Chief Kauffman: We will have something ready.

Enid Pinkney moved for approval of the February 18, 2015 minutes. **Ruth Campbell** seconded the motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Yes

III. NEW BUSINESS – Discussion on Lincoln Memorial Park

Chair Novick addressed Staff and indicates that he is aware that some people are present from the Lincoln Memorial Park and that staff has a presentation.

Chief Kauffman indicated that since the public hearings can't start until 2:15, this item can be heard first.

Chief Kauffman gave a PowerPoint presentation on the Lincoln Memorial Park cemetery.

Chair Novick asked if the property was fenced. Staff indicated that it is.

Chief Kauffman stated it is important to point out that this is a privately owned property and the fact that we are losing the information on the tombstones and the destruction from the overgrowth of vegetation is taking its toll on this historic site.

Board Member, Ronda Vangates asked if it would be appropriate to have members of the public to speak first.

Chair Novick: Absolutely. Those from the public that are here to speak on this matter, we would love to hear from you; please stand and give us your name and address.

Cecilia Gilbert: Indicated she owns the property directly behind the cemetery. Her building is also historic. Stated that the cemetery should be cleaned up, not only because it's important historically but also because it affects her business (she is trying to recruit attendees to her school and parents see the state of the cemetery and comment on it). She feels that historical significance of some of our founding fathers should be considered for preservation.

Brian Mulheren, 10245 Collins Avenue: Feels the site is important enough to get County, State, and Federal funding. To see the site in this state is ridiculous. It needs to be preserved.

Rick Superstein: States that there are a lot of local resources that really care about things like this and in conjunction with them you can really get a long way without even going through the government. All of the sectors are committed to these types of locations and for instance, they can all be community based. In most instances a lot of things can be done with the public. Feels we should go directly to the Rotary Club and see if they can just start this project in conjunction with the owners and possibly less money taken from the taxpayer. In favor of preservation.

Sharlane W. Thompkins, 20001 NW 63rd Avenue, Hialeah, FL 33015: Her grandparents, father, and youngest brother are all buried there and feels there is a lot of history at the cemetery. Feels that whatever can be done to support this public entity and this historical place that has so much history. In favor of the cemetery's preservation.

Neil Alter, 9801 Collins Avenue: Is impressed with how the Black community has contributed to this cemetery and the evolution of our community. He hopes that there will be possible funding and contributions from organizations such as the Rotary Club to help.

Dorothy Johnson, former Vice-Mayor, City of Opa-Locka: Being raised in Liberty City, most of all of my family was buried in this cemetery so it has a lot of history. Stated that even if you don't have a relative buried there, you know someone or one of the families buried there... because much of South Florida was built by those buried there. In favor of the cemetery's preservation.

Faye Davis: My mom is buried there and unfortunately she is not famous, but she is in that cemetery and anything that can be done to keep and maintain and preserve it needs to be done. In favor of it's preservation.

Janell Cherry: Most of my family members are buried there including my uncle, James Cherry. This cemetery contains many, many well-known African Americans. In favor of its preservation.

Tangela Sears, 1270 NW 75th Street: Ms. Jessica Williams is here and she is the person that has power of attorney of the cemetery and at this time wants us to keep in mind that this cemetery is privately owned. So it is not a situation where the County did not want to do anything or the State didn't want to do anything or Federal government; they couldn't do anything because it is privately owned and the owner never did not allow anyone to assist her.

Misty Brown, Chief of Staff, Commissioner Edmonson's Office: The cemetery is in our district. The Commissioner's family is also buried there, including her brother. I have family members there, including great grandparents, and for the African American community this is a wonderful place. Unfortunately, has become a burden for the owner of this cemetery, who is not a bad person, but very elderly and has not been able to do the upkeep. They have gotten numerous complaints from neighbors about the state of the property. At the moment, there are fines and liens. The County has decided to do a one-time cleanup of this 28-acre property with the help of an archaeologist from the Florida Atlantic University to make sure that the cleanup efforts are done correctly. The Solid Waste Department and our Corrections Department will be assisting with the effort. The Solid Waste Department and Public Works Department will carry off a lot of tons of debris that will be left on the property for cleanup. After this is completed, our hope for the long term is that the community and the love that we have for these pioneers and family members will join efforts to help maintain this historic landmark. We have a great representation on this Board, Attorney Ronda Vangates, she is the Commissioner's appointee for this Board and she has been speaking with the Commissioner directly on our efforts and is sure that she will be keeping you abreast and getting feedback to us as to what can else be done. The liens are being worked on administratively.

Kenneth Kilpatrick, 5275 NW 49th Avenue: President of the Brownsville Civic Neighborhood Association, which represents the area in which the cemetery is in, and we can't say it any better than it has been said in the presentation and from everyone that has talked about the cemetery which is very important because of all of the pioneers that are resting there. Thanked Attorney Vangates for putting this on the agenda today.

Jessica Williams, 14340 NW 12th Avenue, Miami, FL is the Manager at Lincoln Memorial Park Cemetery: Is very grateful to be here today. Would like help with the cemetery and whatever needs to be done and really appreciates it in helping to make it tax exempt and a historical site.

Board Member, Ronda Vangates: Wanted to make a few acknowledgements of individuals in our community that has taken the lead on restoring and maintaining something very valuable not only to the Black community, but to the entire community here in South Florida and some of those people are Congresswoman Frederica Wilson; our State Senator Dwight Bullard; Commissioner Audrey Edmonson and her staff, and I can't say enough how grateful we are that you have taken this project on. Our Sergeant of Arms for the County, Mike Bruny from the Miami Dade Police Department; Kenneth Kilpatrick; Jessica Williams; Ms. Tangela Sears who is not only a community analyst, but a community strategist, my Pastor Victor T. Curry who has partnered with the family as well has addressed some of those tax issues and actually paid one of the tax liens two weeks ago on behalf of the family.

Due to the unfortunate state of the cemetery, I asked Ms. Kauffman to place this item on the Agenda. This property has already been designated as a historic site. What I am asking my colleagues here on the Board today is to support a Resolution that we make to the Board of County Commissioners to find whatever resources, financial and otherwise, to support the restoration and maintaining of Lincoln Memorial Park Cemetery. We know that these grounds should be handled carefully so we actually have an expert at Florida Atlantic University who has volunteered her time and expertise to train the volunteers on how to go about working within the confines of this historical cemetery. So with that being said, Mr. Chair, unless there are other comments from the Board I have a Motion that I would like to put on the floor.

Board Member, Enid Pinkney: Both my Mother and Father are buried in the cemetery. Is the cemetery currently licensed by the State of Florida?

Tangela Sears: It is.

Board Member, Ronda Vangates: But I would be happy to amend my Motion to make sure that the Historical Preservation staff do due diligence before we ask the County Commission to partner with the family or to maintain the cemetery.

Congresswoman Fredericka Wilson could not be with us today but she did send a letter to our Chairperson and members of the Board and was entered as Exhibit "A".

Makes her motion for the Board, "That the Miami-Dade Historic Preservation Board, with the appropriate assistance from staff, prepare and submit a Resolution to the Board of County Commissioners at the next available commission meeting requesting that the Board of County Commissioners provide the necessary resources, financial and otherwise, to restore and maintain Lincoln Memorial Park Cemetery to its rightful place in the hearts and pages of our diverse history." That is my Motion.

Adriana Cantillo seconded the Motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Absent
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Yes

IV. PUBLIC HEARINGS – started at 2:20 p.m.

A. Swearing in of the Public: Lorena Ramos, Certified Court Reporter, swore in members of the public.

B. REQUESTS FOR DEFERRALS.

Chief Kauffman indicates there are some people here for item PH3, the Historic District Designation, in Surfside, FL.

Board member Paul George arrives at meeting.

Carter McDowell, Attorney, 1450 Brickell Avenue: Indicated he represents two of the owners in the proposed district and that they have met with staff and need time to evaluate the properties. Had a productive meeting on site and asks that this designation be deferred, and are working cooperatively with the preservation staff. They also need time to meet with the Town of Surfside and see if we can craft an acceptable solution for everyone in this designation.

Esther Superstein and Rick Superstein, 3830 Hollywood Boulevard: Testified that they want a chance to fairly evaluate the current preservation proposal. Claimed they only got a week's notice and were told Friday they could have three minutes today to speak. Explained they are CPAs and this is the busiest time of the year. Stated the designation would completely change the land use of their buildings. Didn't understand the previous

six-month deferral asked for by the Town. Was under the impression that the deferral was requested by the Town of Surfside to develop a comprehensive town plan for future development and zoning. Indicated they spoke to an attorney named Mr. Price, who told us not to worry, that no action was required on our part at this time. Now the attorney just last week states it is preordained and there is nothing you can do to change your decision and that he has an ethical conflict of interest and he resigned. Asked that they have time to hire an architect and legal counsel. The historic preservation designation should not include dirt, parking lot, shrubs, and landscaping. There is no historical value to these items; the buildings have absolutely no architectural significance. The buildings are not best or average representations of the works of these architects. They entered into the record photographs of other buildings by the same architects that they believe deserve designation. Indicated that historical designation would significantly decrease the value of our investment. In addition to the decrease in value, the cost of maintaining the structures with the approvals required for a historic structure would be an economic hardship on us. Stated that the selection process is arbitrary, inconsistent, and discriminatory. Asked again for a six-month deferral.

Chief Kauffman: Noted for the Board the various notification letters that went out to all the property owners, including the Supersteins. Everyone was notified properly. The letter from September clearly states that the item would be coming back at the March meeting.

Chair Novick Asked how long did they want a deferral?

Carter McDowell, Attorney, 1450 Brickell Avenue asked for as long as appropriate or would support the 6 months asked by another property owner.

Chair Novick: Staff is 90 days ok?

Chief Kauffman: We don't have any preference.

Paul George moved the Motion for a 3-month deferral. **Ruth Campbell** seconded the Motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Yes

C. **Public Hearing Items**

PH1. Ad Valorem Tax Exemption Application
5240 North Bay Road
Miami Beach, FL 33140

Chief Kauffman: Gave her presentation on the Ad Valorem Tax Exemption Application for 5240 North Bay Road in Miami Beach, FL. Recommends at this time that the County Historic Preservation Board forward this application on to the Board of County Commissioners with the recommendation to approve the request for tax abatement.

Chair Novick: Thanks Chief Kauffman for a job well done. Indicated that the new addition is done sensitively and appropriately.

Ivan Schneider. 5240 North Bay Road, Applicant: Indicates to the Board that all he wanted to do was the right thing and will continue to preserve the house.

Rick Cohen moves the Motion to approve for tax abatement. **Adriana Cantillo** seconded the Motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes

PH2. Special COA #2015-01-S
Hampton House
4240 NW 27th Avenue
Miami Beach, FL 33142

Chief Kauffman: Gave her presentation on the Special COA #2015-01-S Hampton House. The Historic Hampton House Trust is requesting to replace the glass panels with etched glass panels that will contain scenes depicting the historical events that took place in the Hampton House. The historic scenes will be etched into the glass and surrounding each scene will be donor and sponsor names to be etched in the glass as well. Gave the Staff analysis and observations.

The community space room is new and there are no historical elements within that space. Since the panels will have writing on them, the names of the donors and sponsors may be backwards from one of the ways visitors are viewing them whether your down on the 1st floor looking up at them or standing on the 2nd floor Mezzanine looking at them straight on, depending on which way they are installed. The reason why the County went through the extra expense to install the glass railings on the 2nd floor Mezzanine is so that visitors and guests sitting there for lectures, presentations, weddings, etc., will be able to have a clear view to the event happening below. Recommendation is that the COA be approved with the following conditions: Install one glass panel first to determine if that is the correct way they would like to see the writing on the panel.

Ron Frazier, member of the Hampton House Trust: Talked about the appropriateness and design concept for the glass panel. The concept behind this glass panel is that it represents the black community. A family album you can show your kids and grandkids of what they did and showing the historic history of our way of life. Each glass panel will represent an activity that happened at the Hampton House in some point in time. He brought in a sample of the glass panel which is translucent, almost transparent. The glass panels meets the code and it is really laminated, not etched directly into the glass. Asks the Board if they had any questions.

Chair Novick He deferred to his colleagues. He liked what staff recommended and asked his colleagues if they were in agreement with that or if they had any other questions.

Paul George moved the recommendation that staff requests. **Ronda Vangates** seconded the Motion. Motion was approved by group vote.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Yes

V. PUBLIC COMMENT

Chair Novick indicated that the public may comment on any agenda item that is not a public hearing, but please state your name and address and if everybody can limit their remarks for 2 minutes. Neisen O. Kasdin, Attorney, requested more time.

Chair Novick asked how many people were in the room to speak about the Bay Harbor Continental and asked Mr. Kasdin who he was representing. **Neisen O. Kasdin, Attorney** replied he's the attorney for the Bay Harbor Continental as well as other unit owners.

Dennis Kerbel, County Attorney: Asked if there is anyone in the room that is not here for the Bay Harbor Continental or Bay Harbor Club? Suggests that we call the persons to speak for the Bay Harbor Continental and Bay Harbor Club first.

Chief Kauffman indicated that there are reports for these two properties that are ready to be filed with the Board.

Board Member, Gary Appel: Had a question about conflict since one of the building's shareholders of the Continental is an officer of a company that owns a hotel that he has done some tax work for.

Dennis Kerbel, County Attorney: That is a question that needs to be raised on the Commission on Ethics because we can't give our opinion on those sorts of conflicts so we err on the side of caution.

After further discussion, Board member Gary Appel decides to recuse himself from this item.

Chair Novick: Addresses everyone in the room that at this time they will take public comment.

Neisen O. Kasdin Attorney from Akerman LLP: I am representing P3 Investments, LLC which is an affected party under contract with the Bay Harbor Continental. He gave a brief history with regards to this property, including the previous attempt to designate it in 2010. That effort was subsequently withdrawn in February 2011. The residents of Bay Harbor Continental thereafter decided to list the property for sale in 2013. To my knowledge, and they can speak for themselves, this decision was greatly influenced by the fact that the designation had been withdrawn. In 2013, out of 35 unit owners, 86% of the owners of the co-op voted in favor of selling the property which exceeded the requirement in their own by-laws. The property has been under contract with our client P3 Investments for several months and a closing is set.

Laid out several issues that he wanted to point out to the Board. Stated there was lack of notice at the 2/18/15 HP Board meeting when the Board took action regarding the designation of the property. In his opinion, a withdrawn application cannot be raised again. Stated that Bay Harbor Continental is the sole owner of the property and so it was improper for three individuals to be able to petition the Board for designation as owners. Also noted that the ordinance says the Board is encouraged to obtain permission from the owner prior to initiating designation, and the cooperative Board was not asked for permission to initiate designation. Goes on to speak to the economic hardship issue, and states that the designation report does not address the economic hardship issue at all. Many of the residents are

depending on the sale of this building so that they can retire. The building has severe maintenance issues as well and there are insufficient reserves in the budget and the residents, many of whom are elderly and on a fixed income, cannot afford the assessments to pay for essential repairs. If assessments and maintenance rise it will affect the sale of units because the owners have no funds to pay for these expenses.

P3 Investment has already expended a significant amount of money in the acquisition of the property and plans for the redevelopment of the property along with legal fees, contract fees, architectural fees, and other costs. The continued action and interference in the closing of the contract may result in multi-million dollar damages to Bay Harbor Continental, the co-op owners, and P3. Indicated that the developer of the project is willing to explore conserving certain elements of that structure for reinterpretation in the new structure.

Is recommending that this Board reject the designation report and discontinue further action with Bay Harbor Continental. Will be placing a copy of a letter into the record setting forth our objections. Indicated that they will also be submitting over 20 affidavits from co-op shareholders expressing their objections to this action today.

Chair Novick: Thanks Mr. Kasdin for a good presentation. County Attorney's office do you have anything to say?

Dennis Kerbel, County Attorney: If you wish to address it now, we will.

Chair Novick thinks it makes sense to address the legal elements with the Board before we get into any merits being discussed by the residents.

Dennis Kerbel, County Attorney: There are a couple of issues here. One is the issue of owners and who can give the petition. As you will recall from several meetings back, this Board already addressed the issue of whether or not an individual condo unit owner could petition as an owner, even though they did not have the support of the rest of the condo unit owners or condo association. It was determined that they could.

Chair Novick that applies to shareholders or co-ops as well?

Dennis Kerbel, County Attorney: I understand that co-ops are handled a little bit differently. The question is whether the County's historic preservation ordinance and this Board recognize them as owners.

Chief Kauffman stated that we use the owners as listed in the Property Appraiser website to send notifications out to. The Property Appraiser website lists unit owners individually.

Dennis Kerbel, County Attorney stated the Board can consider that to be sufficient, and it is within their purview to decide to go forward with the petition or not. Also reminded the

Board that they have the independent authority to designate any property and to initiate the process themselves, without an owner petition.

Mr. Kerbel went back and read from the minutes from the last meeting. Noted that the Chair had asked staff to bring back the reports that had been previously prepared and the Continental is one of them. At the same time while that was being requested, the Board was handed a petition from these owners asking the Board to initiate the designation process. The Motion clearly stated that the Board was not doing it on their own initiative, but that still is one avenue that is open to the Board. Advised the Board to consider what Mr. Kasdin is saying about the ownership issue, but you have the option to avoid that issue all together, since the Board can initiate on their own.

Chair Novick indicated that we needed to move things along. We shouldn't have any more five minute presentations.

Neisen Kasdin, Attorney objected to the time limits.

Chair Novick: Stated all shareholders will get two minutes and that he allowed Mr. Kasdin way more than the 7 minutes originally given.

Carter McDowell, Attorney, 1450 Brickell Avenue. Indicated he was representing the Town of Bay Harbor Islands. Objected to the Board moving forward with this process. Stated the Town has not been given any letters as to this process. State Statute requires any land development order requires coordination to ensure it is consistent with the Comprehensive Development Plan. Does not believe that these actions are consistent with the CDMP and there has been no coordination, no presentation to the local planning of the Town nor the County. Also stated that our staff has agreed to hold a workshop in the Town of Bay Harbor Islands on the 31st of March 2015. To take action before you even hold a workshop to talk to the residents of the Town is clearly premature.

Chair Novick: Asks if staff and the County Attorney's office agrees with his statements.

Dennis Kerbel, County Attorney: Reminded the Board that it is not taking action to designate the property. There was discussion between Dennis Kerbel and Carter McDowell on this process. This is the filing of the report, which is what is supposed to happen subsequent to the Board asking Staff to prepare a report, which they did, at the last meeting. The ordinance does not require any advance notice of the moratorium. The ordinance requires notice of the proceeding to designate, and notice of the designation hearing. A moratorium is in place until that hearing can be had. It is meant to preserve the status quo until the Board can properly take action.

Chair Novick asked to now hear from those shareholders or anyone else regarding the Continental.

Robert Kolbert, 1135 103rd Street: Handed in a letter for the record. He is the President of the Bay Harbor Continental Board. Had 86% of the membership in favor of going into a contract. Property is in distress, needs multiple repairs. They have no reserves to make the repairs. Lots of divorced women, elderly citizens living in the building. This designation is against our desires to get out of the building. Not in favor of designation.

Chair Novick reminded speakers to please keep remarks to two minutes.

Jeff Koster, Bay Harbor Continental: Feels it is admirable to try to keep a building that is being destroyed, but you have to look at the lives of the people that are living in that building. Indicated that his neighbor is incapacitated and needs full time care. Lost half of his savings in 2007. Loves the building, and has been coming down to the building since 1958, but needs the sale in order to survive. Many of the other people in the building need the sale just in order to survive. Submitted another letter into the record. Against the designation.

Leonor Kirksey, 1135 103rd Street: Has lived in the Bay Harbor Continental for over 19 years. Has noticed that there is a very difficult situation going on now because these people are trying to get rid of our building, but we bought those units to spend the last days of our lives and we are happy. We have been maintaining that building, we are able to pay our maintenance and taxes and we were also able to get $400,000 loan to maintain the building. So feels it is not a question that we are desperate and dying, but lately they have not been keeping the building because the management company is in cahoots with the people that are selling. Begs the Board to look at the people that want to stay there. We bought the building and we wish to stay there. In favor of designation.

Gervaise Racine, 1135 103rd Street: For her she feels it is very sad because she invested her money in that building and it was for her retirement. Now since the building is the way it is today she will have to eventually borrow money to pay for assessments to repair the building because there is no money in the reserve. Against the designation.

Kathleen Weinstein, 1135 103rd Street: States that 85% of the shareholders voted a year ago to sell the building. Asks the Board to please withdraw from your interest in Bay Harbor Continental. Against the designation.

Chief Kauffman: Just for the record, Ms. Weinstein's letter that came to us by email was distributed to the Board as part of the packet.

Nancy Peters, 1135 103rd Street: She also signed to sell, because her husband is in an assisted living facility and needs the money from the sale of the unit in order to provide for her husband's medical costs, but if the unit is not sold, doesn't know what is going to happen. Against the designation.

Joel Reed, P3 Real Estate Investments: Gave some historical context of what has transpired in the last year. They contracted to purchase the property back in March 2014. He

is the project director for P3, is a certified urban planner with 12 years experience in the area of building planning and urban design. During our due diligence period it was essential for us to understand the community and context and the type of project that was appropriate for the site. My role is to review past studies, documents, and the encumbrance of the master plan and other studies of the site to include the 2010-2012 designation report by this Board and the subsequent withdrawal. We also met with the residents and Town officials to receive their inputs as well as preservationists in the community. They decided after doing due diligence to proceed forward with this project. They will be submitting to the Town of Bay Harbor Islands on March 26th for site plan approval and the closing is set for April 15th. In fact the original closing was set for September of 2014 and the co-op had some issues with tax issues and we agreed to work with them to resolve those issues. Stated that they are providing a building that is lower density but very high end. Reducing from 35 to 29 units. They were shocked at the submission of this petition last month by some of the owners, as they have incurred substantial fees already working on this project. We know the Board's role with designation, but we ask that you consider the circumstances of the specific situation and the lives of the residents that will be impacted if further action by your Board is taken.

Ms. Kollert, 1135 103rd Street: Has been living in Miami over 25 years and speaks about the fact that she bought a unit in Bay Harbor Continental and now she has no money left in the bank and doesn't know what to do. Asks that the Board do something to help them. Against the designation.

David Grosse, 1135 103rd Street: A co-op member at the Bay Harbor Continental. He is a practicing architect since 1984 and has done over 250 multi-level developments around the county. He is a lover of mid-century modern and lives in a historic modern house in New York. My wife and I bought the unit a year and a half ago because we love the way it looks. It is extremely pretty, but the building itself as a building is out of date and obsolete. The elevator is not handicapped accessible. Went on to discuss in length the problems that the building has. Feels that the developers say that they can reuse the elements and that is very enlightened. This building is underbuilt for the property. Against the designation.

June Kolbert, married to Robert Kolbert, 1135 103rd Street: They bought their unit 25 years ago and they have been coming back and forth and it is getting cumbersome for them already. They were happy when they learned that their building was going to be sold would prevent any hardship for them. We ask the Board to please approve the sale of our building so that we can all live our lives. Against the designation.

Teri D'Amico, 9101 East Harbor Drive: Stated that the majority of the comments here today are about selling the property but the designation does not stop you from moving or from selling. If you want to move, move. There is a Transfer of Development Rights program in the Town (TDRs). She thinks the building has nine TDRs, which amounts to about $400,000 they could receive, to put back into the maintenance of the building. Stated that its common sense that buildings need to be constantly maintained, and that this building is only 60 years old. Believes that the Homestead Act keeps you from losing your apartment

because of debt. Doesn't understand how they think it is fair to force some of the people out of the building who do not want to leave their home. In favor of designation.

Carlos de la Torre, 1135 103rd Street: Was one of the original persons that spoke last time and he personally enjoys his home and wants to keep it because he likes where it is and bought it because he appreciates the beauty of the building and that is one of the reasons why he came forward with the petition to designate. However, for his gratitude, he was served with a lawsuit from the developer telling him that he should not have asked for a petition from the Historic Preservation Board. I think that speaks volumes. Hands a copy of the lawsuit to the Board for the record. In favor of designation.

Chair Novick: I would ask that those people that are disrupting the meeting to leave if this continues.

Clotilde Luce, 301 Ocean Drive: Happens to be a great admirer of Bay Harbor Islands and has written an article about it. Indicated that she lives in a Melvin Grossman building from 1968 and you have no idea what the units are selling for. Stated that being preserved is not bad for your building. Addressed the people that were coming forward today with very touching stories, but noted that you can sell your units on the open market for probably more than what they are promising you. Noted that the developers are using these human interest stories but once they leave the building, are you even going to be able to afford something in affordable housing? Speaks to the Board that this is pertinent to their decision in that the building meets the criteria for designation. Feels that this is a diversion to the unit owners to simply take you away from the facts. It meets the criteria, these people have other options, and the building is very valuable. In favor of designation.

Tina Paul, 9255 Collins Avenue: Before she bought her condo she was looking in Bay Harbor Islands. Never was able to find anything in the Bay Harbor Continental. All of the listings were on the other island with no kind of view. She wanted to purchase at the Dexter building which had an ocean view, but learned that it was a land leased-property, in other words, someone else owns the land underneath the building. Feels that if you put your apartment now on the market you would sell it and that the developer would not back down from the deal that they have offered you if these buildings are designed historic. Feels that you are doing a disservice to the community that you have lived in and let these buildings go for a dollar. In favor of designation.

Margie Rossin, 1135 103rd Street: I am the last person that purchased a unit in 2013 at Bay Harbor Continental and was interviewed by Carlos, who was on the board at that time, and he asked me if I was aware the building was for sale. I said yes. Again, with the handicapped access, I have a mother that is in a wheelchair you can't get through and it is not good. Against the designation.

Gaurav Butani, 780 NE 69th Street, P3 Investments, LLC: Explained how P3 is the creative team that is using Pinanfarina as the designer for the project. It is an entrepreneurial

effort to bring design to the landscape of Miami and other American cities. We chose Bay Harbor for our first project because we saw the way to make space for a progressive environment not only through real estate but for the community. We selected the best local partners and investors to achieve this collective and all encompassing vision. Explained that they have worked on this project for over a year and it has been a long road for P3 and for me personally. Our desire is to make somewhat of an architectural masterpiece for this part of the world, not only for Miami. Not only from the outside, but from the inside. We fear that the doubts of today will limit the realization of tomorrow, for the Town of Bay Harbor, for Miami. As for Carlos De la Torre, yes we sent him a lawsuit, but this man was an aggressive seller and he came to us for more money at the end.

Chair Novick: Indicated that there should be no personal attacks during testimonies.

Patricia Cohen, 10275 Collins Avenue: After months and months attempting to get Seaway Villas designated, we were able to save the building because a few of us were committed to that and the developers agreed to incorporate it into the new project to save as much as they could with the guidance of the staff and feels there can be a happy ending to be achieved. I am very sensitive to your plight and I sense that you have good intentions, but I am also sensitive to the plight of the persons that want to stay in the building. Let's value what we have and not be so fast to tear it down. In favor of designation.

Steven Wernick, Attorney Akerman LLP: Makes reference to correct two issues that were said at the board meeting today which was presented on behalf of P3. Section 16A-2 of the Code says Economic Hardship. Reads part of the code into the record. Against the designation.

Chair Novick indicated that Mr. Kasdin already spoke on behalf of their clients but **Board Member JoEllen Phillips** indicated she would like to hear what he has to say. **Chair Novick** advised him to continue.

Steven Wernick, Attorney: Historic preservation has value, but you cannot ignore that your Code says you do consider economic hardship in unusual circumstances and that is what you are hearing from residents and there are folks in the community that are very interested in historic preservation I get that, but in this neighborhood those uses are not allowed. The building cannot be adapted to be reused as a bed and breakfast; there are very specific circumstances within the Town's zoning, as well as economic circumstances of these residents that have to be considered.

Chair Novick: Thank you.

Monique Beaudet, 1135 103rd Street: Asked the Board if it was true that when you designate a building, you still have an option to sell your apartment, and what happens to the value.

Chief Kauffman: There are numerous studies available that have determined properties that are designated as historic have higher values than those undesignated neighborhoods adjoining them.

Paul George, Board Member noted as an example the neighborhood known as Morningside in Miami; the designation of that neighborhood has enhanced the value of the entire area.

Chair Novick: Feels that the Board needs to deliberate amongst themselves to see where our sentiments lie in this matter.

Wendy Auerbach, 9880 West Bay Harbor Drive: Has been listening to the economic hardship cases and hearing that 86% of the people want to sell, and the fact that there is this high-end design team from Italy thinks that there is good design intention. Bay Harbor Islands already does not permit high rises. Said most people can't afford what it would take to modernize the interior. Against the designation.

Chair Novick: Deferred to my esteemed colleagues.

Dennis Kerbel, County Attorney: Mr. Chair that was a very lengthy discussion. To clarify the only issue before this Board right now is whether to continue the process of whether this will be designated. This is not the designation hearing. Indicated that the Board can accept the report which will then commence the process, or they can direct staff to bring it back at the next meeting as a Board-initiated application which is allowable by ordinance, or the Board can decide they do not wish to pursue this any further. The decision to designate the property would have to be at a publicly noticed hearing within 60 days.

Neisen Kasdin, Attorney: Thinks that you can direct staff to withdraw the application because of the undue economic hardship.

Chair Novick: Stops Neisen and says thank you. My colleagues I defer to you.

Board Member, Ronda Vangates: Asks clarification of some procedural due process. Noted that from the minutes of the February 18th meeting it clearly states "a Motion was made by Dr. Paul George to staff to bring back a designation report to the next meeting (which is today) for this location and it was seconded by our Chair and approved by the Board." So with that Motion being made and approved by the Board, why are there so many options now and why are we not operating from the direction that was given by the Board at the previous meeting?

Dennis Kerbel, County Attorney: Stated that yes, the Board can stay on that course but it is also the Board's prerogative on how to proceed with the report, they can also change their minds on that.

Board Member, Ronda Vangates: On what basis could the Board change their minds?

Dennis Kerbel, County Attorney: Explained that the motion made at the last meeting began the process. Given that also there was a request from the Chair to have staff bring the old reports back, the Board could decide if they wanted to, to take it down a different path by placing it on the next agenda as a Board initiated item, or you can continue with the designation hearing at the next meeting since you now have updated reports.

Board Member, Ronda Vangates: Had a question for the developer's attorney regarding economic hardship and asked what information is being presented in a written document or by affidavit or some other type of reliable information that says there is economic hardship other than the oral testimony that we have heard.

Neisen Kasdin, Attorney: Well you have heard live testimony, but feels there has been no outreach to the owners of the property to participate in this process. Believes that the Bay Harbor Continental Board would be able to set forth in ample detail the economic hardship, which is very real.

Board Member, Ronda Vangates: Had another question regarding the time issue, if they decide to move forward today on what was approved last month, what is the timeliness impact to both the developer and the County?

Dennis Kerbel, County Attorney: You can decide to accept the report and direct staff to commence the further proceedings that the code sets out for designation. In terms of time limits, the only real impact as far as what the ordinance does to a property is the moratorium, and so the question for this Board is, do you want to take the initial step to pose the moratorium on the property by accepting these reports? Now economic hardship, as it is set forth in the ordinance, is something that you can consider at any stage, it's something that would clearly be a consideration when there is an actual public hearing on designating the property, and at that point when you would take testimony and evidence with any other materials that you want to see about economic hardship, but there is nothing that says you can't consider it today..

Board Member, Ronda Vangates: So towards the issue of the moratorium how does that impact the developer in this instance? If we decide today to move forward on the Motion that was approved, then the moratorium goes into effect today? What's the impact on your development?

Neisen Kasdin, Attorney: They will not be able to go through with the sale if the moratorium goes into effect or designation is therefore adopted.

Board Member, Ronda Vangates: What is the schedule for the closing on the property? April 15th? Are there any tax implications on any of the property owners?

Neisen Kasdin, Attorney: Explained that a co-op is not a condo and is treated differently for tax purposes. A co-op is a corporation. There is property ownership and co-op corporation ownership. The co-op corporation owns the property and the individuals are shareholders. Your code specifically says only owners of properties may petition the Board. These are treated differently for tax purposes.

Dennis Kerbel, County Attorney: Do the individual unit owners enjoy a homestead tax exemption?

Neisen Kasdin, Attorney: Yes and there is a special provision in the Florida Statutes which affords that to owners of a co-op, but if you read the Florida Statutes on co-ops which is separate from the ones on condominiums, it clearly outlines that co-op owners do not have an ownership interest on that property but are shareholders of the property. Very different.

Chair Novick: Ronda did you have any additional questions?

Board Member, Ronda Vangates: Has two other additional questions. Thanks for not answering the tax exemption question because it was really important to me what tax implications will be levied against the owners personally. I understand the difference between the co-op and the condominium, but upon selling of the property, what tax implications are toward the "owner" of the property?

Neisen Kasdin, Attorney: You will have to direct that to the co-op owners themselves.

Robert Kolbert, President of Bay Harbor Continental: As residents we are subject to homestead exemption. Half of the building is non-homesteaded residents and they pay substantial taxes.

Board Member, Ronda Vangates: Had one last question regarding homesteading, and said that the lawsuit gave her pause because she felt it had a chilling effect on the public's participation in the process, or maybe it was a great legal strategic move. Went on to read aloud from the lawsuit clause 32, which states "that the person fraudulently petitioned this Board for such an action." It could just simply be an allegation at this point, but it still puts a chilling effect on the public's role in this process, so it gives her a little pause about whether or not we are all operating in good faith. Ms. Cohen made a very good point that there is room for collaboration and compromise, but unless I see good faith on both sides, I'm kind of leaning towards the County Attorney as to what the implications would be if we decide to defer this item all together.

Neisen Kasdin, Attorney: And we do not represent the developer in that lawsuit, but we are aware of the facts of the lawsuit. The fact is that one particular shareholder filed a petition as an owner on behalf of the Bay Harbor Continental. He took an action that could have only been taken by the owner of the property and feels that was the genesis of their lawsuit.

Enid Pinkney, Board Member: Asked if any person can petition the Board for historic designation.

Chief Kauffman replied that the ordinance provides for any person who is an owner of that property can ask for the designation of that property.

Dennis Kerbel, County Attorney: The petition was one avenue, but the Board has its own authority to pursue historic designation.

Enid Pinkney, Board member: So we are concerned about whether the building qualifies for historic designation and that would be our concern. So we can only make a decision if we know whether it meets the criteria. So we have to begin the process to find out if it meets the criteria, but if we stop today, then we won't even know if it meets the criteria. So feels in favor of moving forward to at least see if the property meets the criteria.

Board member Enid Pinkney makes a motion to move forward and accept the report, to see if the building meets the criteria.

Chair Novick handed the gavel over to **Vice-Chair Ruth Campbell** for the purposes of seconding the motion. **Chair Novick** seconds the motion.

JoEllen Phillips, Board Member, had a question for the County Attorneys on the fact of ownership, and feels that nobody has been really clear about it. Asks if the County Attorneys are suggesting that they can delay the process as one of the alternatives until next month?

Dennis Kerbel, County Attorney: Yes that is correct, to defer the item until next month and having staff re-file the reports but at your direction.

Chair Novick asked that in reference to JoEllen's possible suggestion, if this Board were to defer the item does it put the property in jeopardy of demolition, would no moratorium be put in place for additional fact gathering information and can the property owner then proceed to seek a demolition permit?

Dennis Kerbel, County Attorney: It's the filing of the report that triggers the moratorium, so if the Board decides today to initiate the process for staff to file the report till next month, in that intervening month there would be no moratorium.

JoEllen Phillips, Board Member: Thank you for that clarification.

Sarah Cody, staff, noted that there is still a high occupancy rate in the building, and it is not vacant. It would be very difficult to begin demolition with that situation.

Chair Novick: That's not what happened in Surfside, at the Seaway they continued with a demolition permit even though there were residents living in the building. Ruth, there is a Motion on the table and a second.

Ruth Campbell, Vice-Chair: Indicated let's restate the motion.

Dennis Kerbel, County Attorney: To accept the report that staff has filed with you today and direct them to commence the process for a public hearing on designation. This would begin the moratorium.

Board Member, Ronda Vangates: Asked if it would be possible to have the meeting earlier than April 15th in the spirit of compromise so that the owners would know what their options are before the date the closing is scheduled.

Dennis Kerbel, County Attorney: Wanted to know if there could be an agreement between the property owners and the developers to see if they would agree to a moratorium in the interim until this comes back before the Board in order to do that.

Board Member, Ronda Vangates: Wanted to know if Ms. Pinkney was ok with the amendment, to move forward with the original intention but to bring it back earlier than our next meeting. Asked if the report ready.

Chief Kauffman indicated that the report is now before you, waiting to be filed with the Board. That is what would start the process.

Dennis Kerbel, County Attorney the question is do we have enough time to provide the timely notice per the ordinance and to provide notices to the municipalities, etc., because that's when the normal due process would kick in.

There was discussion amongst the Staff and the Board as to the notification requirements for a meeting, and that we needed 15 days to notify affected property owners and 10 days to place a legal ad in the paper.

Ronda Vangates, Board member indicated that they still do not have the definition clear about ownership.

Ruth Campbell, Vice-Chair indicated we need to have a roll call vote for the motion on the floor.

Chair Novick: If we request this process to proceed, that will be a fact-gathering stage that will be brought back to us and we will consider whether or not this process should continue with designation or not, is that correct?

Chief Kauffman indicated that no, the motion on the table, if you accept the report now, the next step would be the actual public hearing.

Chair Novick: Yes, but we can reject the designation at the public hearing as more facts are compiled. That is the point I wanted to make.

Chief Kauffman indicated that yes, the Board could do that as well.

With an active motion on the floor made by **Enid Pinkney** and seconded by **Chair Novick**, Board Member **Ruth Campbell** took a roll call vote. The motion was approved.

Gary Appel	Recused
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Yes

Chair Novick: Folks we need to move on to Bay Harbor Club.

Neisen Kasdin, Attorney: Approaches the Chair and would like to address the Board if he may. Feels Ms. Vangates' motion was constructive in that we expedite the public hearing.

Chair Novick indicated that he would not be available before April 15th but that due process will be had and the Board is looking forward to receiving additional facts on the issue. Stated that the Board needed to move on to the next item.

Chief Kauffman stated that this item was also to file the report, and believes that there are people here to speak on behalf of this item.

Chair Novick asked people to please limit their comments to two minutes.

Morris Broad, 1030 Hardee Road, Coral Gables, FL: Spoke about how his father, Shepard Broad, who created the Town of Bay Harbor Islands in 1946, would be opposed to the current preservation efforts. That the actions of the Board would be a travesty to his legacy. The original request to designate was withdrawn in 2011 and now here they are again to defend their opposition. The family has provided a 99-year lease to the Bay Harbor Club. Stated they were not notified of this process. States that this is a deliberate effort to retard the redevelopment of outdated housing in the town. States that they are very proud of the history

of Bay Harbor Islands and that historic preservation has its place, but only if done in a spirit of cooperation with property owners. Against the designation.

Chair Novick: Asked Mr. Broad when the land lease reverts back to the family.

Mr. Broad: There is approximately 39 years left in the lease. Right now the cost of living index is about $2,500 a unit, so residents pay about $2,500 a year and costs associated with maintaining a 60-year-old building. Against the designation.

Chair Novick: You are a fascinating man and I would like to hear more from you and perhaps we can have lunch one day.

JoEllen Phillips, Board member stated that Mr. Broad suggested that historic preservation retards growth and redevelopment, and is that what he thinks the Board is doing here?

Mr. Broad replied no, but there are small, individual groups of people who don't want change, and who have gotten the town to institute a 75-foot height limitation, so it seems there might be some strong anti-development issues in the town.

Joe Ellen Phillips, Board Member, took exception to some of the comments made today about following the process and has heard this all afternoon and is tired of our staff being attacked. Would like to take action publically right now because I have heard all afternoon our staff being attacked. They are doing their jobs, they are following the ordinance and the rules, etc., and they are doing a superb job at it and for those of us that are sitting around the table, I never thought that we are about retarding development but to encourage good development. I have been doing historic preservation for 14 years of my life. So please put that to rest in your mind. We are not working in small individual groups, we are working with what the County laws state.

Carter McDowell, Attorney, Town of Bay Harbor Islands: The Town feels that there has been a lack of failure in coordination between the historic designation and compliance with the County Comprehensive Master Plan and the governmental requirements of the County's own CDMP Plan. There is a workshop that is scheduled for the 31st of March and the Town feels this workshop should be prior to the Historic Preservation Board making their decision to move forward. We also have another issue with regards to the fact that it imposes a moratorium, but doesn't believe that it complies with the case law. Stated the Town feels that Staff and other members of the Board have deliberated behind closed doors instead of at a public meeting. Asked that the Town be provided time to meet with Staff and conduct the workshop before moving forward, in an attempt to find common ground. Against the designation.

Dale Northrup, 1155 103rd Street, President of the Bay Harbor Club: We feel like we have been brought into this limelight because of the Continental. We have gone 59 years without any help from any of you, we have maintained our building in an exceptional manner

and were not out of money like the Continental. We take care of ourselves and want to be left alone. We don't have anyone knocking on our door or asking for money we are just going on our own and that's how we want to keep going in the future. Against the designation.

Hector Gualda, lives in Surfside, but his Mother lives at the Bay Harbor Club: He believes in historic preservation, in natural parks, in the protection of art, and historic structures. I trust your vision to know what should be protected more than my own, certainly from top officials. Believes in the Historic Preservation Board and their work. Also, supports the work in Surfside, Bal Harbour, and Bay Harbor Islands, but is grateful for our attention to where his mother lives. His mother is 81 years old and right now there is an issue of displacement for her. His mother does not want to move and his mother has chosen the Bay Harbor Club as her final resting place. The work that the president has stated that they have been doing for 60 years to maintain the building is true, however; does not trust that it will continue for the next 10-15 years. Feels whatever decision the Board takes today he will be grateful because it will allow his mother to stay at the Bay Harbor Club. In favor of designation.

Teri D'Amico, 9101 East Bay Harbor Drive: Stated that she and other preservationists were the ones to coin the term MiMo. The attorneys have referred to the Comp Plan. Stated the Town changed their Comp Plan to include a historic preservation study. This study indicated that the entire island should be designated.

Chair Novick: Deferred to his colleagues once again. Asked if we should move this one forward as well?

Ronda Vangates, Board Member, stated that the prevailing question that seems to arise each month is the notice issue. The residents and developers are complaining about not being provided sufficient notice. Asks staff at next meeting to provide information about sufficient notice. Need to make sure that the due process is being followed.

There was some discussion between the board members as to whether or not to defer this item to the next meeting.

Dennis Kerbel, County Attorney: The ordinance provides that there must be a notice to go before the hearing, so notice is not required in advance of the Board accepting the filing of the report.

Enid Pinkney, Board Member, stated that she feels we need to do what we are here to do. Made a motion to accept the report and proceed with the designation process. **Adriana Cantillo, Board Member,** seconded the motion. Motion was approved by roll call vote.

Gary Appel	Recused
Ruth Campbell	Yes
Adriana Cantillo	Yes
Rick Cohen	Yes
Paul George	Yes
Robert McKinney	Absent
Mitch Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Yes

Chair Novick: Staff do we have any other items to report for this month? I don't have anything to report.

Chief Kauffman: Updated the Board on some of the recent proceedings that have happened with historic preservation at the County level. The Seaway Villas in Surfside, which you designated a few months ago, that designation had been appealed by one of the property owners. After the property owner learned that the developer was fine with the designation and wanted to move forward in working with preservation to incorporate it into a new project, that one property owner withdrew the appeal. So the Seaway Villas is designated. We do have another building in Surfside that is being appealed, the one called the Seaside Terrace, that's the smaller building painted pink and yellow. That is also being appealed by one person and that appeal will be coming up in front of the BCC.

Chair Novick: You might want to update the Board on Commissioner Heyman's ordinance which was heard last week at committee.

Chief Kauffman indicated that there was an ordinance revision in front of the committee that would require 75% of condominium and co-op owners to be on board with a petition to designate before they could come to this Board to request designation, but that proposal did not move forward.

Brian Mulheren: We are concerned about Bal Harbour. We would like the staff to look at the Church by the Sea, Bal Harbour shops and all buildings on the west side of Collins Avenue. We want to keep our village.

Neil Alter, 9801 Collins Avenue: Appreciates the dedication and service of the Board. But the issue really relates to the Church by the Sea.

Dennis Kerbel, County Attorney noted that the public opportunity to comment on this item is not on the agenda.

Amy Huber, Shubin & Bass: Is part of the law firm representing Bal Harbour Shops and Church by the Sea. Has to object to this because you cannot unilaterally start to designate or

talk about designation of properties not owned by any of these individuals during comment on an agenda. It's not proper and it is not the procedure.

Dennis Kerbel, County Attorney restated that at the last meeting, the agenda specifically called for discussion on areas of the county in need of preservation, and even then he did state then that they shouldn't get into too much detail about any specific property. But because that discussion item is not even on the agenda this month, it is not proper to talk about specific buildings in any open comment period. You can only comment on things that are on the agenda.

Chair Novick stated that they were here for the open comment period but the Board got so caught up in the comments for the Continental that maybe the public comment period ended prematurely.

Dennis Kerbel, County Attorney clarified that comment period that is open to the public is only for items on the agenda that are not public hearings.

Chief Kauffman clarified that the Continental and the Bay Harbor Club were both on the agenda as non-hearing items, so therefore people could make public comment on those. The Church by the Sea is not on the Agenda.

VI. ADJOURNMENT

Chairman Mitch Novick adjourned the meeting at 5:01 pm.

_____ _____

Kathleen Kauffman, Historic Preservation Chief
Office of Historic Preservation

Date

HISTORIC PRESERVATION BOARD
April 15, 2015, 2:00 p.m.
Miami-Dade Public Library System
101 West Flagler Street, Library Auditorium
Miami, FL 33130

PH3. Historic Site Designation
Bay Harbor Continental, 1135 103 Street
Bay Harbor Islands, FL 33154

Members of the Board
(Present)

Mitch S. Novick, Chairman
Ruth Campbell
Paul George
Rick Cohen
JoEllen Phillips
Enid Pinkney

County Attorney's Office

Craig Coller and Eddie Kirtley
Assistant County Attorneys

Staff

Kathleen Kauffman, Chief
Sara Cody, Preservation Planner
Jeff Ransom, Archeologist
Helen Rodriguez, Administrative Secretary

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(All witnesses were duly sworn previously).

CHAIRMAN NOVICK: We'll move onto the next item, which is the Bay Harbor Continental.

MS. KAUFFMAN: Hang on. Can you confirm that the motion was to defer the item for a period of six months as requested?

CHAIRMAN NOVICK: Yeah, it was six months.

CHAIRMAN NOVICK: Neisen, how much time do you need?

MR. KASDIN: Probably need an hour. We have a number of witnesses.

CHAIRMAN NOVICK: Neisen, you've known me for a long time. You know you're not going to get an hour.

But before we discuss that, how many speakers are here on this matter, the Continental?

Can I just see who are for the designation? Show of hands: One, two, three, four, five, six.

Against any designation? We have a lot of speakers. Can we limit all of you to a minute and a half? Is that something that's acceptable?

MR. KASDIN: Mr. Chair, if I may, I will try to incorporate key residents of the building in my presentation, so as to not have duplication, but I must ask for the Board's cooperation in this respect. This is a designation of an individual property. It is not a designation of a district with multiple properties.

We are the owners. I represent the owner of that property. The owner is the entity whose rights are being affected, and these are the individuals. We need an adequate amount of time to present our individual case since that's what this is about. And I think with a select number of residents speaking in the building, maybe three or four, we will be able to cover the issue.

CHAIRMAN NOVICK: Okay. So you're agreeing that there be only three or four other speakers?

MR. KASDIN: I can't agree. What I'm saying is, my presentation, there will be three or four. There may be one or two others, but I think it will limit the number of speakers.

CHAIRMAN NOVICK: Neisen, can you deal with 15 minutes?

MR. KASDIN: No.

CHAIRMAN NOVICK: Twenty minutes?

MR. KASDIN: No, we have --

CHAIRMAN NOVICK: Neisen, we're going to give you 20 minutes, and then we'll see where we're at.

MR. KASDIN: We have a hardship case.

CHAIRMAN NOVICK: I understand.

MR. KASDIN: We have a procedural case.

CHAIRMAN NOVICK: I understand.

MR. KASDIN: You know, we have individual's lives that are being threatened by this designation.

CHAIRMAN NOVICK: Neisen, we're going to give you 20 minutes.

MR. KASDIN: That is not adequate, and I object. And if we can't complete

our presentation, we'll just have to make the County Commission aware of these individuals and their affected lives have not been able to have adequate opportunity.

CHAIRMAN NOVICK: Like I said, we'll see where you're at in 20 minutes.

MS. CODY: Are we doing the staff presentation before we --

CHAIRMAN NOVICK: Yes, yes.

So, Staff.

MS. CODY: This is the public hearing to consider the designation for the Bay Harbor Continental at 1135 103 Street in Bay Harbor Islands, Florida.

To give you some context, you can see the two islands here at the center of the image are the two islands that comprise Bay Harbor Islands. You can see North Miami on the mainland to the west, Surfside and Bal Harbor to the east and Indian Creek Village to the south.

This is the site of the Continental itself. It's on what's called the east island of Bay Harbor Islands right up at

the northern tip of it, right on the perimeter road, on the waterfront.

To give you some context, it's the site and the Town itself. Bay Harbor Islands was planned and built by Shepard Broad, who came to the U.S. from Minsk in 1920. He later came to Miami Beach in 1940.

In 1945, Broad and his business partner Benjamin Kane became interested in two undeveloped mangrove swamp islands located at Biscayne Bay, which was then known as Bailey's Swamp. During high tide, the islands actually were not even visible.

But Broad had a vision. His vision that many deemed too crazy to succeed, was to create two islands: One for single-family homes, and one for multifamily complexes and shops.

To make this a reality, he made a trade with Pierre Bailey, the owner of the undeveloped swampland. Pierre was given Broad's interest in the downtown Biscayne Building and Broad was given the

undeveloped land.

Bay Harbor Islands was built according to Broad's plan, with the 103-acre west islands accommodating single-family homes, and the 150-acre east islands accommodating multifamily complexes and a modest business district, with a 150-foot wide waterway separating the two islands.

Each island was composed of rectilinear blocks with a perimeter road lined by waterfront housing. And you can see outlined in red, it is the site of the Continental.

On the east island, East Bay Harbor Drive and West Bay Harbor Drive encircle the islands with waterfront properties on the outside of the properties. Kane Concourse, which is the commercial strip named for Broad's partner, divides the east island from north to south.

So in order to fund his proposed development, Broad and Kane began selling lots on the east island in April 1946. Within three months, they sold enough lots

to fund the entire venture. In 1947, the Town was incorporated and development began in earnest. The first building permit was issued for the Town was issued for an eight-unit apartment building on the east island. This aerial is from 1952, so on the left, it shows you the Town in its surrounding context. And then the detail, you can see some development beginning on each island with large swaths of lands still yet to be developed. This is just another angle still showing 1952. So you can see how the islands started to develop and some of the preexisting vegetation still standing on the undeveloped tracks.

If you compare this 1959 aerial with the previous 1952 image, you can get an idea of how rapidly the Town was developed after its incorporation. You can see here, in 1959, both islands are almost completely built out. And that's just 12 years after the Town is incorporated and the islands were created.

To give you an idea of the existing

context of the Continental, this is the Continental building. You can see immediately to the east a modest MiMo-style building. This is the Morningstar condos; also another MiMo building. These are directly across the street from the Continental.

Of course you know to the west of the Continental is the Bay Harbor Club, with a larger tower beyond. And this image is taken from the waterfront side of the Continental looking across where you can see the club here and then the taller building beyond.

Architecturally, the Bay Harbor Continental embodies the Mid-Century Miami Modern or MiMo style. It has many features typically seen in MiMo buildings, including strong geometric features, and asymmetrical facade, exterior walkways, concrete block brise-soleil, cantilevered tray balconies and a prominent pylon on the main facade.

Additionally, it displaces the garden-style site planning that emerged as

part of the MiMo style where designers sited the buildings in such a way to optimize views, sun, breezes and green space for the residents.

Here's some more detailed views of some prominent architectural features that typify the MiMo style and define the character of the Bay Harbor Continental, including the concrete and glass block screen that line the front facade. This is the curved stairwell enclosure with diagonal rows of geometric punch-outs.

On the waterfront side, there's concrete tray balconies with concrete balustrades, projected eyebrows and screen walls on the ground level, Original jalousie windows and an open courtyard with a pool on the waterfront side. And this image shows the pool and the pool house. And -- well, the pool house is really modest. It's interesting, they also incorporated a little bit of the MiMo style with the cantilever roof.

In addition to the architectural architecture, the Bay Harbor Continental

is significant as the work of Charles Forest McKirahan. McKirahan was a licensed architect in Florida. And in 1950, he joined the Broward County Chapter of the American Institute of Architects.

McKirahan embraced the new cultural ideals of progress and optimism that emerged during the mid-Century. Through his architectural work, he helped define the emerging design style of the mid-century, designing playful, iconic buildings throughout South Florida and the Caribbean.

In these images, you can see some of the patterns and features that he incorporated into many of his designs. Here you can see what's typically called the Birdcage feature. It's at the Manhattan Tower in Ft. Lauderdale as well as the Bay Harbor Club. Here you have the inverted geometric roof at the Castaways. And on these lower two images, you can see the angle beam pole columns and geometric railings at the Las Olas Club in Ft. Lauderdale and Bay Harbor Towers in Bay

Harbor Island.

Just 14 years after McKirahan arrival in South Florida, he died in a car accident at the age of 44, cutting short his career and his impact on mid-century architecture. Though he practiced for less than 15 years before his death, his design prowess and legacy is impressive. Many of his works have been demolished, but overall his work is recognized as some of the strongest examples of MiMo architecture in South Florida.

When considering the property for local historic designation, it must meet at least one of the objective criteria.

Bay Harbor Continental meets both criterion A. It's associated with distinctive elements of cultural, social, political and architectural history that have contributed to the pattern of history in the community.

And criterion C, it embodies the distinctive characteristics of a type, period, style or a method of construction or work of a master.

The preservation staff has performed a through research, analysis and evaluation of the Bay Harbor Continental and has determined that it has a high degree of historic integrity and meets two of the objective criteria for designation.

This evaluation is based on the building's historic context: It's representative of the pattern of development in Bay Harbor Island and contributes to a better understanding of the architectural heritage of Bay Harbor Island and based on its architectural qualities. It embodies the distinct characteristics of the significant MiMo style and is one of the limited works of extant work from Charles F. McKirahan, a recognized architectural master.

In addition to the objective criteria, we must also consider current development plans and potential economic impact. This property is currently under contract with the closing extended from last September. The development plan proposes a 7-story, high-end luxury condo

in place of the existing building. The new design may also incorporate some mid-century style elements.

In terms of economic impact, it's important to note that designation in and of itself does not limit nor regulate an owner's right to sell. After designation, there are many potential economic benefits, including the ad valorem tax exemption program. Owners of historically designated properties in Bay Harbor Island may also be able to take advantage of the Town's transfer of development rights program, which allows property owners to sell or transfer their unused development rights to another property. The funds that result from the sale can then be reinvested in the continued maintenance and repair of the existing building.

Although these benefits can be substantial, the County preservation ordinance also recognizes that there may be special, unusual circumstances in which economic hardship allows the Board to vary or modify adherence to the ordinance.

As you heard at the last meeting and as you will hear this afternoon, a great deal of public commentary has been provided related to a potential economic hardship if the property is designated.

Some unit owners have provided statements that they are depending on the sale of the building for their future cost of living. These owners have also indicated that they can no longer afford the cost associated with the ongoing maintenance of the building with some owners already behind in assessment and maintenance fees.

On the other hand, other unit owners have indicated that if the sale of the building goes through, they will be forced to sell their home and will not receive adequate sales profits to relocate to comparable waterfront property, resulting in their displacement from their home and community.

So as you can see this issue of economic impact is complicated with varied and competing factors, viewpoints and

concerns at stake. And the Members of the Board must carefully consider any and all claims of economic hardship as part of your decision today.

CHAIRMAN NOVICK: Thank you, Sarah. That's an excellent presentation.

All right, Neisen. So, Neisen, we're going to start off with 20 minutes, and we'll see where we're at.

MR. KASDIN: Best we can. I don't think it will work, but I'll work with you, Mr. Chair.

Thank you, Mr. Chair, Members of the Board, Neisen Kasdin, Steve Wernick with Akerman LLP, representing both Bay Harbor Continental co-op, the owner of the property, as well as P3 Investments, the contractor of the property.

And, quite simply, although we will acknowledge there are certainly certain features of the building that are important in terms of the style of architectural period, we believe that the economic hardship that will be imposed on the individual resident owners of the

co-op units and the financial and practical unfeasibility of restoring the building and bringing it to the condition that it is safely habitable for years to come outweighs any consideration for designation of this building.

In addition, we'd also point out that the new design -- and I know this is not strictly within your purview, but the new design by Pininfarina, a very prominent Italian design firm, will incorporate or reflect important MiMo design elements in terms of the heritage.

Now, if I may, I would like to start first by reiterating some procedural objections that we have as to why we believe this matter should not go forward at this time.

First, a lack of notice and adequate opportunity to be heard.

At the February 18, 2015, meeting, the Board directed staff to initiate designation proceeding. That action was taken without notice to the public. Not only was there a lack of individual

notice, but the February 18th agenda did not mention the Bay Harbor Continental or even the Bay Harbor Island. The action taken up under old business items. It was not a public hearing item, nor was any public discussion or input permitted at the meeting. Despite the lack of notice, an opportunity to present, the Board directed staff to prepare designation at the February 18th meeting. The second point that I think is -- so this procedure is fundamentally flawed because of that, that at its birth, it was not started in the proper manner.

Number 2, and this is very important to understand, this building is a co-op, not a condominium. And, therefore, the individuals, who filed the petition considered by this Board on February 18th, had no standing under the County code to seek designation of the property.

Petition was presented by three individuals: Carlos De La Torre, Lisa Mann and Clara Reed. And it is invalid.

Section 16-810 of the County code

states that owners of any property can petition this Board for designation of their property as an individual site. None of those individuals are owners of the property. Bay Harbor Continental, Inc. is the sole owner of the property. The three individuals are merely shareholders of the sole owner, but did not and could not file a petition on behalf of the owner, which is Bay Harbor Continental.

And, in fact, and let me just also correct this for the record, there really isn't much of a split, a feeling amongst the owners of the building. Eighty-six percent voted to sell the building. And you will hear shortly the compelling financial needs that are driving that decision.

There are a handful of owners -- and I'm not going to get into motives at this moment or speculate, but only a small handful that have objected to the action, the overwhelming action of majority of the co-op.

So each of -- the property is a Florida cooperative, not a condominium. Each of the 35 shareholders is entitled to exclusive possession of one of the 35 units in the co-op building, but unlike a condominium, do not have legal title to their units.

When you purchase a co-op, you acquire a share in the company that has the legal title to the real property, but you do not directly acquire any portion of the real property. That's Florida Statutes 719, Section 103 and 105.

Co-op shareholders cannot initiate a petition, because they're not owners of any portion of the real property, therefore, the petition that was filed in February 18, 2015, is invalid. And based on the filing of the invalid petition, the Board ordered to direct staff to bring a designation report to the March 18, 2015, building, and that too is invalid.

Number 3, with regard to procedure and due process, and this is also a matter of fairness, there was a prior designation

report on this property, and it was withdrawn. And the parties rely on that prior determination.

In 2010, this Board had before it a proposed designation of the Bay Harbor Continental. At that time, the Bay Harbor Continental expressed vigorous opposition to the designation. That designation was subsequently withdrawn in February 2011, at the Historic Preservation meeting.

The residents of Bay Harbor Continental decided to list the property for sale in 2013, based largely on the fact that the designation had been withdrawn.

In 2013, 30 out of the 35 shareholders, 86% voted in favor of selling the property, significantly more than the bylaws require.

The property has been under contract with P3 Investments, LLC, as the contract purchaser for many months.

And then as I mentioned before, the February 18th meeting, without notice, the Board took action regarding the

designation of this property.

The idea that the 2010 designation report, which was withdrawn in February of 2011, can somehow be resurrected four years later without notice is, we contend, arguably a violation of due process and a matter of fairness.

Now, there are certain other things which you, I think, are bound to consider in deciding whether or not it's appropriate to designate this sole building.

Number 1, a zoning analysis. There is no zoning analysis by the staff of what can and cannot be done with this building. Now, I note, I think many of you know that I know, adaptive reuse is something that is critical to a vibrant, lively and successful historic district. I've certainly been involved in enough projects in that regard, but there is no possibility for adaptive reuse with this structure.

The property is zoned R3. In January, Town Council adopted ordinance

No. 972, eliminating the possibility of any commercial uses. So it can't be a hotel. We can't have a restaurant there. All it can be and remain as is an apartment building, if it cannot be demolished.

When renovated, it would be -- and more significantly when renovated, unlike the City of Miami Beach, which allows you to maintain non-conformities and you don't have to bring things up to code when you're substantially renovating or repairing a building in the historic district, the opposite is true in Bay Harbor Islands.

There are no incentives for historic buildings in Bay Harbor Islands with regard to parking, floor lot ratios, setbacks. Renovations will require bringing the ground floor up to base flood elevation. A significant increase in height would eliminate the first floor, which is four residences, as a place where there could be residences. I'm not even sure that can be done given this

structure, but that is requirement of the Town code. Utility services must be converted from overhead to underground. Handicap and ADA access must be brought up to code.

And so what we will show you is that the building deficiencies as they currently stand as well as the cost and virtual impossibility of bringing it up to code means that this building cannot be preserved. And if there's an attempt to preserve, the hardship on the co-op shareholders is enormous.

I'd like to bring attention to reports which have been presented to you by independent experts who have analyzed the building. One is an ERF report, which is Tab 1-A in your package, which says that the cost -- and it goes through, in detail, a lot of the items that have to be repaired and fixed, that the cost per unit would be 150 to $200,000 per unit, 160 to 200,000 per unit.

Second report by Odebrecht engineer Brad Rinzler speaks about an additional

cost above that to -- and it's Tab 4 in your binder -- Tab 3, rather, in your binder, additional costs, which would -- Tab 3 is rather his -- or his credentials, his resume -- or, rather, Tab 4. Tab 3 is his reports. And estimates an additional 1.5 to $2 million.

And if I may, I'd like to call Mr. Rinzler to provide brief testimony as to the cost of renovating the building and requirements under the code that have to be met.

Mr. Rinzler. And if you would, to save time briefly, state your name, your credentials and your conclusions.

MR. RINZLER: Thank you.

Good afternoon. My name is Brad Rinzler. My address is 201 Alhambra Circle, Coral Gables, Florida. I'm a senior project manager with Odebrecht Construction. I have 30 years of experience as a project manager, construction manager and contractor on residential, commercial, institutional and industrial facilities involving new

construction and renovations.

I've been asked to summarize my findings from a site inspection of the existing Bay Harbor Continental building located at 1135 103 Street. And review of the ERF Construction Group report, which estimated the cost to rehabilitate the building at 6.1 million.

Based on our observations, there's several important issues that do not appear to have been considered in the report, which may have significant cost impacts.

Number 1 is the seawall. The concrete cap is in extremely poor condition, serious cracks in the concrete structure, breaches in the seawall phase, contamination and soil sediment, which are indications that significant work must be carried out to rehabilitate the seawall. This is consistent with the report received from the Town of Bay Harbor Island prepared several years ago, prepared by Hardesty & Hanover.

Number 2, signs of deterioration of

the 57-year old reinforced concrete building structure observed, form of cracks, spalling, corrosion of internal reinforcement, which indicate that considerable concrete reinforcement, restoration may be necessary.

Number 3, it's reported that during storms and high tides, the ground floor has been flooded and water rising from cracks in the ground floor concrete slab, indicating that hydrostatic forces for which the structure are likely not to have been designed to resist.

Number 4, life safety issues relating to emergency egress travel paths in corridors, stairwells and the elevators were observed.

Number 5, the decorative concrete balcony protection rails currently do not meet current building safety codes. The replacement/rehabilitation of these balcony railings has not been considered. Serious deficiencies in plumbing and electrical systems have been reported.

The estimated scope of work and

estimated cost of $255,000 to rehabilitate the entire building plumbing and building electrical systems has been considerably underestimated.

Based on our observations and review, the estimated cost by ERF, a magnitude estimate to adequately address the issues could add up to an additional one and a half to $2 million to the estimated costs.

Thank you.

MR. KASDIN: So, therefore, in order to bring this building up to code in terms of life safety, city code, ADA and all the other required flood requirements, you're looking at an $8 million plus cost to be spread amongst 35 shareholders.

I'd like to ask Ron Wasson, Town manager, who's heard the scope of work that is required to bring this building into adequate shape, and ask him about the additional requirements imposed on the Town as a results of that.

Mr. Wasson.

MR. WASSON: Good afternoon. Ron Wasson.

As regards to the code, anytime that a structure is more than 50% of the assessed value is done to a building, the building would have to be raised to flood elevation. And that goes with any construction or renovation of the property.

MR. KASDIN: Now, further with respect to the economic hardship, I would like to ask Joel Reed to come forward, tell his credentials and to discuss the unfeasibility of renovating the building versus what it could get in the market if it was renovated. Joel's resume is in your Tab 5. And his testimony, as you will see, is it's economically unfeasible to renovate the building.

Joel.

MR. REED: Joel Reed of RC3 World, My address is 30 Ocean Drive, Key Largo, Florida. I'm an urban planner, designer for 14 years. I've done development consulting, master plans, comprehensive plans in Florida, in Georgia as well.

I looked at this building as far as

analyzing if it was to be kept as a rental unit, these units were to be rehabbed, brought up to code for life safety issues, held and rented out.

Brief market study of the rental rates around Bay Harbor for similar products out there. One bedrooms were going anywhere between 1,050 a month; two bedrooms for 1500 to $2500 a month.

When we looked at the financial side of it, we assigned the highest values, assuming we did the renovations that were required to bring it up to code, which we used the 6.5 million dollar number for that.

Based upon the rental rates, the capitalization of the building would be $8.1 million. However, you have to pay for those renovations. You have to subtract that out from the $8 million. And that would leave the potential value as rentals about $46,000 per unit versus the value that it's under contract for right now, which is about 471 per unit on average.

MR. KASDIN: Thank you.

And now, finally, but, most importantly with respect to hardship, and this is where the rubber meets the road, share of costs excess of $200,000 per unit, but you have a group of shareholders, who are co-op leaseholders, who own this building. Many of them have lived there for decades on fixed income and have limited economic circumstances, and they cannot afford the assessment that would be required to do this work.

Even more than that, many of them have pressing, overwhelming, personal needs, which require the sale of these units so that they can fund healthcare costs and support costs. And they're counting on this to occur.

So the building not only cannot be feasibly economically used for any other purpose, as you have just heard, nor does the Town allow other uses, but, in addition, if the sale does not take place, a number of unit owners/shareholders will have extreme economic hardship.

In that regard, I would like to bring forward four of the shareholders to speak briefly as to their individual hardships.

Robert Cohen.

CHAIRMAN NOVICK: Neisen, I'll stop the clock. 2 minutes, 24 seconds. How much additional time do you need? Can you do it in 10 additional minutes?

MR. KASDIN: I think so.

MR. KASDIN: Yeah, should be. I have one -- at least one architect to testify providing the neighbor, the residents stay within their time.

CHAIRMAN NOVICK: Okay.

MR. KASDIN: Ten should be fine.

CHAIRMAN NOVICK: All right.

MR. COLBERT: Thank you, everybody. My name is Robert Kolbert, K-o-l-b-e-r-t, address --

THE AUDIENCE: Can't hear you.

MR. COLLER: I am president of Bay Harbor. I am also a World War II veteran. I was a corpsman, and -- naval corpsman attached to the Marine Corps during the end of World War II. I am probably the

oldest resident of Bay Harbor Continental. My parents bought an apartment two years after the building was built, and it has been retained when my mother passed away. In 1985, my wife and I took possession of the apartment. We've lived through all the problems.

I have never seen -- I never imagined that our bylaws would have us -- give us the ability to get 75% approval to sale the building. Most of the original vot4es on the building was unsolicited. We have 86%, mas Neisen said. That is totally amazing.

We have a lot of personal economic problems. A lot of hardship in the building. It's all been called to my attention.

We have people in nursing homes. We have people -- we have a gentleman with Parkinson's disease. And he said that -- long-term resident of the building. He said he can no longer make the trip down here.

I have my permanent residence in New

York. I'm 88 years of age. I just don't think I can make it any longer. It's a hardship to come down here and to do the trip. I have a limited income. And this buildings takes over a third of my income. I have a lot of ability to talk to everybody in the building about their problems and there are certain many.

And I hope that your Board will consider everything and realize that our maintenance could double or even triple. And there is no way in the world that most of us in the building, who are elderly, most of the people in the building are women, who are divorced, or single or widowed women, and it becomes a definite hardship for us to retain ownership of the building.

Our apartments are small and they're cramped. I have a two-bedroom apartment, my wife and I, and it's 900 square feet. It would just be called a studio in New York. And we can't expand it. We can't do a thing with it. And it's about time for me and lots of others to reconsider

our objectives and to leave the building.

Thank you very much.

MR. KASDIN: Thank you.

Next speaker is Kathleen Weinstein.

MS. WEINSTEIN: Good afternoon. My name is Kathleen Park Weinstein.

I hope you've all had a chance to read over the letter that I sent in along with others for economic hardship and to tell you what's happening in my life.

My husband recently passed away. I've been caregiver for my mother, my husband, my brother. My brother is 70 years old; 70 years old, and 10 years into Alzheimer's. My mother just passed away in '95. I've had a major burden financially taking care of these people.

My mother and I own this apartment together. She left it to me, so that I would be able to take care of my brother.

With the confidence that today was going to be our closing, on March 5th, I wrote a check out to an attorney for $10,750. I put another 7,000 into a senior living community for memory center

only, Pacifica in Palm Beach. That was over $7,000. The bills for my mother are over 75,000. The bills for my brother alone, since her death, are over $20,000, and still mounting. These are all the reasons why my mother and I saw the necessity to sell. And we were of that 86%.

The cost of renovating this building is beyond anyone in this building. Although the three people that petitioned this Board to designate us historic, I want you to know that those people, they're not a hardship case. Lisa Mann drives in everyday, oh, maybe $100,000 car, 350,000 car, government contracts. Another woman Clara Reed, the one that voted yes to sell originally, she lives in the United Nations building in New York. Not a hardship case. The third person, respected president, who tried to extort money out of the investors, he has another home. All that can be found online.

This is all about money that they are not getting. And they were paying too

much in taxes, because they didn't like the tax structure, but our developer turned around and said then let me help you. Instead of closing when we should have, he delayed it so that we could mitigate and lower our tax bill.

All of this -- this isn't greed. This is a developer trying to help us, but the three people that petitioned this Board, that's greed. Where is our sense of Democracy? The majority of the people voted yes to sell.

Anyway, this is my reality. I said in my letter that I would show you. This is only a part of it, and it's mounting. And I cannot afford to do what needs to be done, if this building is designated.

CHAIRMAN NOVICK: Neisen, you've got five, five and a half.

MR. KASDIN: One more resident I'd ask to be brief, and then two brief professional architectural witnesses and they'll be brief.

And the final one is June Lantz.

MS. LANTZ: Good afternoon. Can you

hear me?

CHAIRMAN NOVICK: Scream.

MS. LANTZ: I've done enough of that. I'm June Lantz. I'm a 20-year resident of the Bay Harbor Continental. I am a disabled single senior, who, not by choice, is unemployed. I own -- I have owned my unit for 20 years.

The sale -- the completion of the sale of said building is imperative to me as not to become homeless. I can't even explain to you how much economic hardship it is for me.

And also I want to remind you that there are more than 50% of that building, who are senior citizens and most of them that are fighting for this and they're in dire straits.

I must plead with you not to set this as a -- treasure, you know, a treasure. That's about it. Thank you.

MR. KASDIN: Thank you.

CHAIRMAN NOVICK: Neisen, you have three. We'll give you four minutes.

MR. KASDIN: I appreciate your

facilitating this, Mr. Chair.

There are additional statements, and testimony, which is included in Tab 1-D of what has been handed to you, and was included in the hardship affidavit, which was submitted.

Finally, I would like to now call forward two professional architects, who examined the building and the propriety of the designation.

First one I'd like to go forward with is Laurinda Spear. I'm sure many of you know Laurinda, is the co-founder, with her husband, of Brescia Arquitectonica. They are responsible for defining contemporary Miami architecture, buildings that they have designed and are now being considered probably worthy of designation. I'd like Laurinda, who's observed this, to come forward and provide her commentary, and observations and also her credentials with respect to MiMo architecture.

MS. SPEAR: My name is Laurinda Spear, 2900 Oak Avenue, Miami, Florida 33133. I'm a principal of Arquitectonica,

a registered architect and landscape architect in the State of Florida and elsewhere.

And when I first came to Miami, I met Barbara Capitman, who was involved when she actually lived in Key Biscayne and her awakening to South Beach and Art Deco District. And I helped her figure out how to save it. And with great effort on many people's parts, it was saved and it was worth saving, because it was an entire neighborhood.

And then later I sat on your Board in the 80's, when we hadn't designated a whole lot and a whole motive on the Board at that time was to designate as much as possible, so everything that came before us, we were pretty much designating, because we saw the look and feel of our community was fragile and it was kind of imperative. Ira Rodriguez ran the Board in those days to, you know, keep some things.

This building, after I walked through it and looked at it, you know, reminds me

of my childhood in Miami, the buildings I saw when I grew up here. I mean, the jalousie windows, it has a really ho hum site plan.

And the architect -- I mean, it's an interesting story and a kind of sad one, but he's not really prominent, well-known architect. I don't think that saving this building -- you know, saving is better than it is probably the better way to go.

The only architectural element you could really fall in love with a little bit is the screen. Maybe -- you know, I notice the Surf Club, it was probably designated and there's hardly anything left of it. Maybe you can be content to ask for some remembrance of the screen be incorporated into their building somehow.

And just one more pitch for landscape architecture. As far as the cultural landscape, I mean, if they even had a landscape architecture on this project, the only way was to take down the mangroves and put some land in and throw in a few trees, so there's no value

particularly to the landscape. It has an asphalt parking lot. I mean, it's really something not -- you know, kind of sad.

So all in all, given the hardship of the case, I would recommend that you not, you know, be so dogged about preserving the building and maybe ask that the architect of the new building just preserve some of the better attributes of its spirit, mainly the screen.

MR. KASDIN: Thank you.

One final one. Laurinda did not also mention, is that she actually worked with two summers with Morris Lapidus, who, of course, without question is the most famous of MiMo architects.

Finally, I'd like to call forward Robert Chisolm. And Robert is, I believe, largely responsible for the creation of the County's historic preservation program. And did much, I remember in my early years, the very first preservation work in the City of Miami Beach. Robert has examined this building, and assessed this and is here to provide his

commentary.

MR. CHISOLM: Thank you, Neisen. Good afternoon, Ladies and Gentlemen. My name is Robert Chisolm, principal of Chisolm Architects, 4921 Southwest 74 Court.

THE AUDIENCE: Can't hear. Louder.

MR. CHISOLM: 4921 Southwest 74 Court in Miami. We -- I have been practicing architecture here since the early 1970's. I have a long background in historic preservation, because, as an architect and urban planner, I was given the charge of the historic preservation program by Miami-Dade County as a member of the County Manager's office in the 1970's. I interviewed and I hired Ivan Rodriguez and Robert Karl (phonetic) to setup the great effort that they made subsequently under the historic preservation office for Miami-Dade County, so I have strong ties to historic preservation.

After that, we became part of a team with Anderson Notter and Finegold. And we completed -- I was in charge of the Miami

team. Anderson Notter Finegold was in charge of the Boston team. And we did the South Beach Historic Preservation Master Plan for the Art Deco District, which won several national awards.

I've put 22 buildings in the national register of historic places.

We did the original restoration of The Biltmore Hotel in Coral Gables in 1986. And a few years ago, we were given an award by The Dade Heritage Trust for the Cuchiella Residence in Homestead.

When you examine -- and I'm going to speak with all affection, because any good architect, as Laurinda well knows it, or Richard, you carry architecture in your blood. It's a way of life, but you also have to be realistic and you have to understand the issues that you're dealing with in order to be fair.

For example, the Art Deco movement is very significant in South Florida, because of its high concentration of buildings of its type in this particular location. And, of course, the historic content that

goes along with the entire creation of those neighborhoods. So that is important.

If I were to say to you, you know, this pen, if a thousand years from now we find this pen, but there were 20 million pens like this created in history, the value -- the relative value of this pen goes according with that since there are many, many samples of this probably laying around years from now.

Well, I find this particular building to be somewhat of the same, because it does have the design details and the elements that were being used in MiMo, but they're, like, you have to examine that this was done towards the end of that period, if you will, so it's not like an original thought. It's more like a -- I don't want to call it reproduction, but it's more of using items and details that had already been used many, many times and just repeated in a very fine manner, very clean manner.

But the issue of the decorative

elements, and the issues of the breezeways and things like that, when I walked in, I mean, it was nice, but it was of the period, if you will. Even then it was rather modest in its interpretation. And it's well done, et cetera, but not significantly. Even the site plan leaves some aspects to be desired, when we walked the site and looked at it very carefully.

So I would have to say that when you analyze it in terms of its significance, historic significance, and the neighborhood, it's rather un-impactful. And from the architecture point of view, equally so.

Thank you for your attention.

MR. KASDIN: Mr. Chair, thank you. That concludes our presentation.

I would just like to briefly summarize by saying that I think you can see that any merit in terms of preservation is greatly outweighed by the unfeasibility of preserving the building, the sheer cost of bringing it up to code and repairing it, the unfeasibility of

making it use for any other purpose and the physical burden that it imposes on the owners of the building, if they have to try to undertake that cost. It's just not possible or fair.

So for that reason, we ask that you not go forward. And the other reasons, as I stated before. I ask that you include in the record the binder that I have provided you at the start of these proceedings.

And just following up on Mr. Chisholm's comment, just show you the initial rendering of the proposed, the new building. The architects, the designer is here, if you want to hear from Pininfarina, very globally recognized design firm. They're serious about incorporating the important features and elements of MiMo architecture in the building. And so I think what you would get is a great piece of new architecture. You will also have the ability to make the lives of those individual shareholders much easier. And I think it's the most

fair thing you can do.

Thank you.

CHAIRMAN NOVICK: Thank you, Neisen.

Neisen, you indicated there would only be a few --

MR. KASDIN: That's it.

CHAIRMAN NOVICK: -- additional speakers?

MR. KASDIN: There may be others who want to speak against it, but I think it covers most of the residents.

CHAIRMAN NOVICK: Okay.

MS. KAUFFMAN: Mr. Chair, but for clarification, there is another economic hardship case that was submitted, so I don't know if you want to do the two economic hardship cases that were actually submitted and then open it up.

CHAIRMAN NOVICK: It sounds like that's your suggestion. We can do that. I have no problem with that.

MS. KAUFFMAN: They had an economic hardship case representing people that don't want the designation. There's another one that's been submitted by

people who do want the designation.

CHAIRMAN NOVICK: Well, let's hear those against the designation first before we hear from the others.

MS. KAUFFMAN: Okay.

CHAIRMAN NOVICK: So is there anybody against the designation, who would like to speak? Can I just see a show of hands?

Okay. Now, Neisen sort of alluded that there was going to be just a few of you. We don't want you to rehash what Neisen had presented. And I'm going to call you out on it. So if anyone has anything outside of what Neisen said, I'd like to hear from those witnesses. And you can just get up and -- so this is against the designation. State your name and tell us -- express your positions.

MS. BRUDER: Good afternoon. My name is Stephanie Bruder. My address is 1281 94 Street. I am a Councilwoman of the Town of Bay Harbor. I also am a property owner.

And I want to first thank Ms. Kauffman for coming out, and explaining to

us what MiMo is and the importance of MiMo.

I think, you know, you're doing -- you have a very difficult job ahead of you to balance out the needs of a community, and dedication of a building and the importance of architect, but there is a difference between a house and a home. A house is just the building. For these individuals, it's their home. It's where they live. It's what they count on. And to ask them -- and I've heard about their hardship, it's painful. It's painful to watch.

I understand that the architects here are willing to include or be inspired by the MiMo era and add it to their building, which is the ultimate goal, is to keep MiMo alive. And if that's the goal, I think by allowing the sale to go through and by allowing the architects to add that MiMo inspired, you have a win/win.

On top of that, the Town of Bay Harbor is also impacted. The appraised value of existing property in 2014 is

$3,842,000.00. The tax revenue to the County is 67,319.00. The Bay Harbor revenue is $10,771.00. The anticipated value of the new development is over $108 million. The potential tax revenue is $1,892,319.00. The Bay Harbor estimated revenue is over $300,000. That is a potential revenue increase of over 292,000. That's a lot of money. That can do a lot of good.

Like I said from the beginning, a home is a home. This is our home. It's important the quality of the life of the individuals.

CHAIRMAN NOVICK: Thank you, Councilwoman.

MS. BRUDER: Thank you.

CHAIRMAN NOVICK: Any additional speakers against the designation, I'm going to give you two minutes, allot you two minutes, please. Just come up and introduce yourself.

MR. BROAD: Morris Broad. My father was Shepard Broad, who founded Bay Harbor Islands and Broad Causeway.

I wanted to just make one quick point. There's been a major transition in Bay Harbor since the advent of the roof K. Broad, Bay Harbor K-8 school. We have over 1200 students there. Bay Harbor has migrated from an older community to a very young community, where families have now become very important and attractive to the island. What does that mean? Young families need larger units, not smaller units. There is no question in my mind, if my father were here today, the visionary that he is, he would say we're in the 21st Century. We respect the 20th Century, but we live in the 21st Century.

The first time I've heard this in the island for years, there are 35 units in the Continental, they only wanted to build 29 units; not more units, less units. What does that mean? It means the units are 15 -- are 2500 square feet, minimum 5500 square feet maximum. I think that's something important to consider.

Thank you for your time.

CHAIRMAN NOVICK: Thank you.

Okay, Folks, I'm going to speak out against, if you could lineup just for expediency.

MS. BRUDER: I forgot to state for the record that I'm speaking as a resident and not as a Councilwoman.

CHAIRMAN NOVICK: Not as a Councilwoman. Thank you for clarifying.

MR. KOSTER: Jeff Koster, personally.

CHAIRMAN NOVICK: Jeff, I'm sorry. I'm having a hard time with this thing. Thanks.

MR. KOSTER: I'm Jeff Koster. When Kathleen Weinstein talked about the president of the building. At the time Carlos De La Torres was the president. The new president is Mr. Kolbert.

CHAIRMAN NOVICK: I thought she meant that president, but thanks for clarifying it.

MR. KOSTER: And you all have my letter with the economic hardship that I'm going through.

What I want to point out is that circumstances changed. I found a place

where I could move, (inaudible) to buy the unit, $250 a month for maintenance with a water view similar to what we have now.

The people who are going to speak for the designation all signed the contract to sell the building. They will be receiving approximately 86 -- my 10 shares, $86,000 less. The reason they put the petition is, is because of the greed. They weren't getting as much as they thought they were going to.

Thank you.

CHAIRMAN NOVICK: Thank you.

All right, is this our last speaker opposed to designation? Yes, you are. Your name, please.

MS. KENNEDY: Good afternoon. My name is Kathleen Kennedy, 9721 East Bay Harbor Drive. Thank you, distinguished panel.

I am for -- I was on the fence with this building. I'm a longtime resident of Bay Harbor. I'm an activist for seniors. And when I went and met some of these lovely ladies, not too long ago, I walked

through this building. I could not believe what I was looking at. The way these ladies were all scared and nervous. And as Mr. Broad knows, he's here, Ron, our City Manager, we would get computers for our seniors, thank you, wherever you are, Mr. Broad. And the frightened eyes of these ladies, they don't know where to go.

I went immediately to the individuals that were involved in this property. I could not believe how sweet and nice they were to these lovely people here.

We have developers in our town, who just come in and gave you a 30-day notice and threw you out. Here these people -- these people that are doing this property, I don't really know them, I just met them for the first time last night, and I was very, very sad to hear how they have been bullied, how they have been really spending their money and knowing now that people are going behind their backs to only make our town the beautiful town that it can be.

There's some beautiful MiMo buildings in Bay Harbor, I'm all for it, but this building is really broken. It's falling apart. The hallways -- I have walked them. I have talked to some of you ladies. And I'm telling you please help them.

And the owners have been trying -- the new owners have been trying to work with them. If it was anybody else, they would have been on the street.

So, again, there are some beautiful MiMo buildings, I'm all for them, but this particular one here is not a good one.

Okay, thank you very much. Thank you.

CHAIRMAN NOVICK: Thank you. Okay. Okay. So we've heard from those against.

MS. CODY: I think you have one more.

CHAIRMAN NOVICK: Oh, I'm sorry, the accountant.

MR. GROSS: Architect. My name is David Gross. I'm a professional architect. I own my firm for over 30 years. I live at Bay Harbor

Continental, Unit 5B. I just want to 9incorporate the testimony of Robert Chisolm. I think they were very clear.

One point that has to be overemphasized again is the structural viability of the building. Since Hurricane Katrina and Hurricane Sandy, the building codes of the country have changed drastically in flood zone areas to insist that the bottom floor be a flyaway, and this building is just simply not equipped to be adapted to the 21st Century.

And I do believe that if there was an extensive engineering test, the slab itself the building sits on would not be to current code, would be unsafe. I think we have -- it's pretty. I think that there's much deeper issues here than the physical attractiveness of the building one way or another. I think it goes to health, safety and welfare, people's lives. And I think the landmark is a much deeper thing than just the way it looks.

Thank you very much.

CHAIRMAN NOVICK: Thank you. Okay.

Our last speaker, who is opposed to designation.

MR. BASEL: Thank you. My name is Paul Basel (phonetic). I live at 9220 Bay Harbor Islands. I work with the developer, full disclosure. I bought on the island 10 years ago, because of the height restriction. I'm from Boston. I appreciate and respect -- and I'm not against historic preservation.

I bought in the Town because of the character. And a lot of the people here from Bay Harbor Island know that I fight with developers and against developers.

Monday night I had a big argument, because there's a lot of buildings going up on Bay Harbor Islands, but this group is planning to build a significantly and beautiful building, low impact, on Bay Harbor Island. They're different. They really are different, and I think you should listen to them.

And I think it's sad a little bit the owners who are here now have had 10 minutes to speak. I really request that

you meet individually with the owner, go to the building, see what our Town is becoming. And, you know, speak to them before you make a decision on designation.

CHAIRMAN NOVICK: Thank you.

All right, Folks, just for reference sake, can I have a show of hands of those who are against moving forward with designation? And maybe you can stand up. Against, against designation. Okay. All right. Thanks.

So now let's hear from the other side. I suppose you can -- how many speakers? Looked like there was only a handful, two, three, four, five. If you can just come up and introduce yourself and --

MS. CODY: They have a brief presentation for their economic hardship case.

CHAIRMAN NOVICK: So they're presenting?

MS. CODY: Yes, I'm just bringing it up.

CHAIRMAN NOVICK: Before we take

testimony for designation, there's another quick presentation.

Please, how long is your presentation?

MR. KIRKSEY: Maybe about two minutes. My name is Maurice Kirksey. I live in 1135 103 Street. I'm Leonor Kirksey's son.

THE AUDIENCE: Are you an owner?

MR. KIRKSEY: No, I'm not. I'm speaking on behalf of my mother.

MR. COLLER: She's taking the testimony. We really can't have people yelling from the audience.

MR. KIRKSEY: Yes, I think that would be helpful. Thank you.

There's been much conversation about economic impact and, therefore, I'd like to take a moment to go through some numbers. And also I'd like to emphasize my mother's tax burden since Bay Harbor Continental is a co-operative property and subsequently has different tax burden associated with it than, for example, a condominium would have.

The initial figure of 16,500,000.00 would have paid my mother around 40,000 per share initially. However, we eventually found out that the real number was only half that amount. After stamp, surtax, broker's commission, attorney's fees are taken out, that amount is lowered by almost a million dollars. Other costs such as mortgage value based taxes, and withholdings for corporate expenses reduce this almost an additional $2 million. However, the most damaging costs would be that of our corporate Federal income tax, which would take out an additional $5,413,765.00. Now, this tax would reduce our per share evaluation by 50% to $20,234.22.00.

Now, with an average amount of money received, it's $242,811 for one bedroom. It would be nearly impossible to purchase a similar home in Bay Harbor where average price for one bedroom is 316,000.00.

Now, the economic impact of being forcibly displaced from their home would be substantial. The residents would

receive below market value for their units at this point. This is a classic case of gentrification, ladies and gentlemen, by displacing residents to make room for more affluent group. And I implore the historical society to intervene today on behalf of this historical property and its beleaguered full-time residents, who are being forced out by self-interested parties looking to make some fast cash.

I also encourage the Board to do any research of those paid by those vested income of the outcome of these deliberations with a very critical eye.

Thanks very much.

CHAIRMAN NOVICK: Thanks.

Before you run off, the tax implications, comment a little further.

MR. KIRKSEY: Initially, the board and the initial law firm that was in charge of this transaction had neglected to do any serious due diligence with regard to our tax burden. And when it was finally given to us, we realized that the amount that was going to be received would

not be enough to buy my mother a like apartment in the same neighborhood. A majority of the people who are in favor do already have primary residences elsewhere, some out of the country, some in the country. However, this is my mother's primary residence.

And so, first and foremost, in our minds would be to find a like property with similar features. And at the current price that would be impossible. Again, the tax --

CHAIRMAN NOVICK: So this is a corporate surtax?

MR. KIRKSEY: Yes, sir, corporate tax.

CHAIRMAN NOVICK: It's not a condominium; it's a corporation.

MR. KIRKSEY: It's a corporate tax. It would level such a blow as to remove half of whatever monies would be garnered by the initial sale of this property.

Now, considering that my mother has to use these monies to go in turn and find a primary residence in a like

neighborhood, this current amount of money post-tax would render any ability on her behalf to do so nearly impossible.

CHAIRMAN NOVICK: Very interesting.

MR. KIRKSEY: Yes.

CHAIRMAN NOVICK: Thank you.

MR. KIRKSEY: Thank you.

CHAIRMAN NOVICK: All right. I think his mom is going to speak.

MR. KIRKSEY: Oh, I'm sorry, yes. Could we actually bring that up again. I'm sorry.

So these are just interiors -- part of the case that the developer is making that the houses, the homes, which councilwoman very eloquently said are falling a part, these are just some pictures of apartments in the building of people who are living there full-time and have actually taken the time, invested the energy in maintaining their full-time units. And so you have in font of you some other interiors.

UNIDENTIFIED SPEAKER: Where is that coming from?

MR. KIRKSEY: That's our home. All right.

CHAIRMAN NOVICK: Okay.

MR. KASDIN: Brief cross-examination, Mr. Chair.

THE AUDIENCE: No, no.

MR. COLLER: Mr. Chairman, first of all, I'd like to explain to the audience, this is a quasi-judicial hearing. It's like being in court. And you don't have people from the audience, when you're in court, yelling from one side or the other side. There's a court reporter taking down the testimony. She cannot take the testimony down if everyone is yelling. So we're all going to give everyone the respect that is due when they're at the podium, whether you're for it or against it.

Because this is a quasi-judicial hearing, you're entitled to cross-examination. However, the Chair can decide when that cross-examination is going to occur. You may choose to allow the cross-examination on rebuttal of Mr.

Kasdin or you can choose to allow the cross-examination now, but he is entitled to cross-examination. So you can make the decision as to when you want to have cross-examination, but this is a quasi-judicial hearing and he's entitled to it.

CHAIRMAN NOVICK: Okay. I imagined Neisen was going to jump up after each subsequent speaker.

MR. KASDIN: No.

CHAIRMAN NOVICK: No.

MR. KASDIN: I doubt it.

CHAIRMAN NOVICK: So do your cross.

MR. KASDIN: A couple of questions. If you would, how many shares does your mother have?

MR. KIRKSEY: More 12.

MR. KASDIN: Twelve?

MS. KIRKSEY: Yes.

MR. KASDIN: And your valuation of those 12 shares after taxes is you said 20,000 per share?

Okay.

MR. COLLER: He needs to answer into

the microphone, so that the court reporter can hear his testimony.

MR. KIRKSEY: Twelve, 12.

CHAIRMAN NOVICK: Folks, quiet. There's a total of 35 shares in the building?

MR. KIRKSEY: No.

MR. KASDIN: There are 35 shareholders. Each shareholder has multiple shares of 10 or 12 shares.

CHAIRMAN NOVICK: How many units are in the building?

MR. KASDIN: Thirty-five.

MR. KIRKSEY: Thirty-five.

CHAIRMAN NOVICK: So that doesn't make sense to me.

MR. KASDIN: If I may, Mr. Chair.

CHAIRMAN NOVICK: Please.

MR. KASDIN: A co-op is a corporation.

CHAIRMAN NOVICK: Yes.

MR. KASDIN: The individuals who live there are issued shares.

CHAIRMAN NOVICK: Stocks certificates, which denotes one unit?

MR. KASDIN: Well, but some get 10 shares, some get 11 shares, some get 12 shares.

CHAIRMAN NOVICK: So someone has 12 shares --

MR. KIRKSEY: She has 12 shares.

CHAIRMAN NOVICK: -- that equates to 12 units?

MR. KASDIN: No. There are 35 units. Each unit is assigned a certain value and shares. Some may be 10 shares, some may be 11, some may be 12.

MR. KIRKSEY: Thirteen and 14, so --

MR. KASDIN: Thirteen and 14.

CHAIRMAN NOVICK: Again, I'm trying to understand. Is this based on one-bedroom versus two bedrooms?

MR. KASDIN: It would be based, I assume, on the relevant size of the unit.

CHAIRMAN NOVICK: Okay.

MR. KASDIN: So you get different amounts of shares. So one share doesn't equate to one unit. Each unit is 10 or more shares.

CHAIRMAN NOVICK: All right. Now I

understand. Thank you. Continue.

MR. KASDIN: So I don't think it's in the microphone.

MR. KIRKSEY: Which I already did. Twelve shares. I think she already heard that. It would be 12 shares for us. Our apartment would be 12 shares.

MR. KASDIN: Next question: Were you aware that the sale of the co-op was delayed for tax reasons?

MR. KIRKSEY: I'm aware that -- I'm aware that people proposed a tax mitigation plan, which does not hold any certainty that a year from now we may be held accountable for taxes by the government, but I was aware that some action was put in plan to supposedly mitigate the taxes.

MR. KASDIN: So you are aware that the sale was postponed so a tax mitigation plan could be created, and that plan has been approved by the Board?

MR. KIRKSEY: Whether or not the tax mitigation would be subsequently approved by the IRS, however, still remains to be

seen. If they, indeed, go ahead and process that and approve it, yes, I assume would be their right. Yes, I'm aware that moves forward.

MR. KASDIN: Final question: Since you did a tax analysis of this, can you explain to me how the tax mitigation plan impacts your analysis.

MR. KIRKSEY: The tax mitigation plan supposedly would increase the amount of money received by each resident.

However, our sticking point for that particular issue is whether or not it would be viable for the long term.

The IRS has not signed off on anything. It's unclear whether or not a year from now or two years from now whether or not the IRS would come back --

MR. KASDIN: I'm asking you specifics. And so do you know the specifics of what the tax mitigation plan? You made an analysis, the specifics.

MR. KIRKSEY: I know the tax mitigation plan in all this is supposed to increase our total benefit to around

$25,000, was the first initial sum given to us and another figure of $32,000 was a sum also given to us.

MR. KASDIN: And if the tax mitigation -- if the tax mitigation plan is approved, then that would be the yield per share, correct?

MR. KIRKSEY: So, theoretically, at 25 and/or $32,000, without any kind of assurance a year down the line -- excuse me, thank you, any assurance down the line the IRS might come to my mother and ask for some money retroactively.

MR. KASDIN: Do you know if a tax attorney was asked to provide advice to co-op.

MR. KIRKSEY: I know the co-op sought no advice from any tax attorney or even the IRS give an assessment to find out initially a year ago when it was first -- when this entire procedure went forward, they initially, a year ago, even before then, there have been absolutely no tax advice given by I believe the firm of Becker and Poliakoff.

CHAIRMAN NOVICK: Neisen, can you wrap it up?

MR. KASDIN: I'm not talking about initially. He has provided testimony with regard to the tax consequences of the sale, but yet he has not been able to testify as to the specifics of a tax mitigation plan. He's talking about a lack of tax analysis a year ago. And I'm trying to get from him specifics as to his knowledge of the tax mitigation plan. That's all.

MR. KIRKSEY: The tax mitigation plan supposedly theoretically was supposed to provide my mother with 25 and/or $32,000, which, frankly, given the fact that we do not know if it was going to be viable with regards to IRS was not good for my mother.

Again, there was no guarantee that the IRS was not going to retroactively charge her for those monies, which is part of the reason why she did not sign.

MR. KASDIN: No further questions.

CHAIRMAN NOVICK: Thank you.

Mom, do you have anything to state?

MS. KIRKSEY: Yes, I've been there 30. I live at 1135 Bay Harbor Island. I bought my apartment 16 years ago.

And so far, when I bought my building due to the fact that we were involved in construction for a good 12, 15 years with my husband, so I knew that moving into this beautiful building -- the building is a jewel in the island. The building has been sustained real good, all kinds of storms and things likes that. The building has been maintained with just -- eight years ago, it spend more than $3,000 in renovation, so the building is in a very good shape.

Lately, we have -- unfortunately, the maintenance and the maintenance company and the board unfortunately didn't keep attention to the building, but the building is in a very good condition.

And I am very pleased to live in the island. It is a very beautiful island. And it is a matter of elderly people that live in the building. And we would like you to take in consideration the people

that live in there.

CHAIRMAN NOVICK: Thank you.

Enid, you indicated you need to leave soon. If I drive you home --

BOARD MEMBER PINKNEY: My taxes. I have an appointment.

CHAIRMAN NOVICK: Are we going to lose a quorum?

BOARD MEMBER PINKNEY: My taxes.

CHAIRMAN NOVICK: Okay. What time?

BOARD MEMBER PINKNEY: I have to leave.

CHAIRMAN NOVICK: You can stay for a little while longer?

BOARD MEMBER PINKNEY: I need to take care of my taxes.

CHAIRMAN NOVICK: Okay, it is tax day.

Two minutes.

MR. BALASTIER: Thirty seconds.

My name is Paul Balastier (phonetic). I'd like to present -- actually, it's already been passed out to the Board here. There's an article in a local architectural magazine, which I feel

describes much better than I could here today why architectures, Charles McKirahan deserves historic designation. Thank you. It's bookmarked on Page 18 for your convenience.

CHAIRMAN NOVICK: Thank you.

Anymore speakers who are for the designation, possible designation, please introduce yourself.

MR. DE LA TORRE: Good afternoon, members of the -- honorable chair, members. My name is Carlos De La Torre, 1135 103 Street.

CHAIRMAN NOVICK: Can you speak into the mike?

MR. DE LA TORRE: I live at 1135 103 Street, in Bay Harbor Islands.

I would like to mention a few things that have happened recently, okay? I don't know if everybody is aware, but I was one of the parties who initially requested designation and got served with a lawsuit.

Recently I tried to circulate in support of Bay Harbor Continental. And

what I received on both sides around me, they were afraid to sign anything, because they were afraid even though they supported it, that they were going to get sued. So that was the effect that this whole thing had on them.

In addition, they were also stated that if Bay Harbor Continental would actually be demolished, then they probably would go ahead and sell, because they don't want to live next to a building with such a huge footprint as part of their building would be somewhat devalued and they wouldn't have quite the view; it would be obstructed at that point. So, indeed, it's the surrounding buildings that would be impacted.

The fact that their economic impact is not a question. There's going to be economic hardship on either side, either one way or the other. Everybody has a different life situation, and it's very different, but it's not right to penalize some people who have actually bothered to keep up with their apartments and the

expense. It's not fair to them that they have invested all this kind of money and would suffer greatly, if they were forced to leave for less than what's market value.

The fact is that this is a classic MiMo building. The fact is this building was designed by Charles McKirahan, a prominent architect. It's a beautiful building and it's irrefutably a historical gem that should be preserved.

I want everybody to know one thing. The maintenance in that building right now is only between 300 and $400 per unit. And almost everybody in the building has paid off their mortgage. It's not --

CHAIRMAN NOVICK: Mr. De La Torre, is that per month or per year?

MR. DE LA TORRE: Per month. So that is one thing.

One other thing, since they keep bringing up 85% vote, one thing I do want to mention, there is no longer the 75% vote required. Five initial yes votes have retracted their votes and there were

another five never voted. There's 10 no's, and possibly 12 people that no longer want to leave the building. So that is something that the Board should consider.

And I thank you.

CHAIRMAN NOVICK: Thank you.

Next speaker. You can't have another bite at the apple. No, thank you.

Next speaker, please.

UNIDENTIFIED SPEAKER: I have a question for Mr. De La Torre. When you have a signed contract --

CHAIRMAN NOVICK: You're out of line. You're out of line, sir.

UNIDENTIFIED SPEAKER: (Inaudible) Collins Avenue. As a neighbor in Bal Harbor --

UNIDENTIFIED SPEAKER: Microphone.

UNIDENTIFIED SPEAKER: -- to me, I go to Bay Harbor. I went to Bay Harbor yesterday. You couldn't move with the traffic. You have a community that's a beautiful community and it should be preserved. And it's a community of homes

and people. And we look at what happened in Sunny Isles, you look at other places and just come in and develop and destroy community. We want to preserve history, but you also want to preserve the community. And money should not be the answer.

It should be what people -- this lady says she's lived there. And where is she going to go? She's not going to find anything that she can afford to live. She's lived there. And if people want to sell, they can sell. And people will buy. It's happening all over the place.

So keeping history and -- you know, you look at what happened in Miami Beach. They kept it, the presentation about preserving the building in City Hall. It's important. And we need to keep history. And this Board should be looking at what's good for everybody, what's good for the community, what's good for this county and state. And what's good for the families forthcoming and have something to look back and know about where they came

from.

CHAIRMAN NOVICK: Okay. Thank you.

Next speaker for designation.

MR. COLLER: Mr. Chairman, even though you're limiting the testimony to two minutes, we need to give equal time to equal side. If somebody needs to speak a bit longer that's on the in-favor of keeping -- making it historic, we need to give them extra time. So I just wanted to point that out. So far nobody has been cutoff, so I don't think we have that problem.

CHAIRMAN NOVICK: Okay.

MR. MATHESON: Good afternoon. My name is Bruce Matheson. I'm a member of the Advocacy Committee for Dade Heritage Trust. Its address is 190 Southeast 12 Terrace, Miami, 33131.

Dade Heritage Trust is the largest historic preservation organization in Miami-Dade County, and it has been advocating Save Our Special Places for the last 43 years.

I mentioned that a copy of DHT's 2014

list that is kept in Top 10 endangered historic sites in Miami-Dade County has been proffered for the record.

DHT designated the Bay Harbor Continental at 1135 103 Street and Bay Harbor Club, known as the Dexter Apartments that have been deferred, meaning both in Bay Harbor Islands, as among 2014's most endangered sites. They were placed on DHT's list, because they were historically significant, as your staff will document, but have not been given historic designation. Other MiMo structures are also in danger.

We urge the Board to protect these structures so that Bay Harbor will retain its unique identity and neighborhood character. Experience has taught us that it can be economically beneficial to do so.

Laura Lavernia, who is the new director for DHT has asked me to add additional comments, which are that the Mid-Century period for South Florida was a period of tremendous growth and retooling

of collective identity. Although modernist architecture -- through modernist architecture, Miami architect developed a language unique to South Florida and environment and ethos, which has been termed Miami Modern, MiMo. The same way that we recognize the revivalist architecture of the boom from the 1920's, that led to great growth of this community, this period is equally worthy of merit, designation and further study.

We have structures for the public benefit so that they can pause their civic pride and accomplishments of the past, but also so they can serve as an educational tool for the community and tell a story of how Miami --

CHAIRMAN NOVICK: Thank you, Bruce.

All right, next speaker. Introduce yourself. You have two minutes.

MR. GRIFFITH: Good afternoon. This is my mom, Frances Griffith. She just turned 87 years old yesterday.

CHAIRMAN NOVICK: Happy Birthday.

If I had more time to paint a

different picture, I wish I had.

Neisen and the others were allowed 20 minutes plus. It's also coming from the buyer. I'm a native Miamian. I grew up in Miami Beach. I'm sorry to be here to see the destruction of this building, which it looks like Neisen, and his pals and the buyer is trying to destroy.

MR. COLLER: Mr. Chairman, I apologize to interrupt. Even though you indicated two minutes, in fact, they do have more time since we're giving each side equal time.

CHAIRMAN NOVICK: If you need to go over two minutes, you can.

MR. GRIFFITH: If I had time, I would have brought pictures with what's going on with the island right now. It looks like the war zone.

And I thought the intent of the Historic Preservation Board was to prevent what's going on with the island right now.

The presentation that Stephanie, I believe, presented was great, but as a suggestion, you also need to update the

current development with what's going on the island.

Just right now, as I picked up my mom today to come to this hearing, another building was destroyed or demolished. I don't know what the Master Plan is for Bay Harbor, but, you know, it's gonna be called Bay Charlotte. If you've been to Charlotte, North Carolina, there is no historic preservation there.

I come from the banking world, all these improvements can be refinanced. It also needs to be brought out there's 35 units in the building, but there's only 18 permanent residents there. Those that spoke against the preservation are seasonal residents except for one. So I think that needs to be taken into consideration as well.

There's a lot of biases that have been painted. And if I had the money, I would have brought a lawyer, an architect and refuted everything that was said today.

This will cause me an economic

hardship, because with the proceeds the buyer is supposedly going to give, my mom will have to move in with me, because she will not be able to replicate what she has now. I'm at peace with her being on the island. I'm a native Miamian, a native Floridian. I went to Beach High, same school as Lisa went to. I want to preserve the building. I want it for my grandchildren to see. It's a beautiful building, and it can be repaired and there is financing out there for it.

I thank you for your time. I hope you take this into consideration.

CHAIRMAN NOVICK: Thank you.

Next speaker, please. Two minutes.

MS. D'AMICO: Hello. Teri D'Amico, 9101 East Bay Harbor Club.

(Inaudible) spoke that Continental and Bay Harbor Club have been identified as some of the most significant buildings in the east island, but they've also appeared in dozens of publications all over the world representing MiMo, Miami Modern architecture. Nina Korman and I

coined the term MiMo in 1998, in my home about a block away from this building, because we were surrounded by these wonderful examples.

In 2006, the state required a historic survey for our town. And the report recommended that the town educate, give incentives and intergrade preservation into the Town planning. Since then the Town officials have done, have used their positions to mislead and scare residents on the benefits of restoration and preservation. They refuse to even acknowledge a great collection of architecture on the island even under the national trust did.

Both buildings are in an RN3 District. They're on the north tip and south tip of the island. I also live on the south tip. It's uniquely zoned. They were to be the divas of the island. They have the grandest views, the landscaped lawns and they were beautiful Mid-Century details and of the leading architects of the time.

Their reason for economic hardship are invalid. They're grossly exaggerated. For example, I live in a building, same -- on the south side. Our seawall became $220,000. All right. You don't have to restore -- you don't have to replace the seawall, you can repair it, or doing the bulkheads just as they did. So they've exaggerated these prices.

And they have TDR money. I think they have nine TDRs they can use. That's about $340, 50,000 that they can use towards this.

And, of course, we know they can sell, but without ownership, I wanted just -- they didn't show you what they're going to put in its place.

CHAIRMAN NOVICK: Teri, will you be able to sum it up.

MS. D'AMICO: You know, I've been to a lot of meetings on this topic. If you could please pass around the elevations that came out of the -- okay. They're claiming their building is MiMo. I want you to take a look at it. You can see

cantilever roofs and -- oh, here it is.

MR. COLLER: Mr. Chairman, we need comments from the Board need to be made on the record, because of sunshine.

BOARD MEMBER PHILLIPS: We're trying to find out if Enid can leave or not.

MR. COLLER: Let's settle this now.

BOARD MEMBER PINKNEY: Is there quorum, if I leave?

MR. COLLER: The question to us is, if you leave now, will there be a quorum? As I understand from staff, there will be a quorum, and you're welcome to leave, if you have to leave.

CHAIRMAN NOVICK: Doctor George, you indicated --

BOARD MEMBER GEORGE: For about 50 minutes.

CHAIRMAN NOVICK: You can stay for 50 minutes.

BOARD MEMBER GEORGE: Fifty more minutes.

CHAIRMAN NOVICK: My intent is to get through this meeting. So, speakers, you're going to have to sum up your

comments quickly.

MS. D'AMICO: Great. Can someone facilitate getting the elevation.

MR. COLLER: As long as, Mr. Chairman, we give each side equal time. So we have to be a little more flexible on the two minutes on the other side.

CHAIRMAN NOVICK: I understand.

MS. D'AMICO: If you could take a look at the building. They're claiming this has MiMo style, okay? I coined the term. There's nothing MiMo about this building. And if -- as I said, you can use all these combinations of features, but it still doesn't make a MiMo building. If you can see how grossly massive this is, and how it's going to affect the neighborhood, but I can tell you that, you know, for all these people, like Carlos and -- that our Town is not protecting them. They're protecting people that want to move. They're not protecting the people that want to stay, so thank you.

CHAIRMAN NOVICK: Thank you, Teri.

Please be as brief as you can.

Introduce yourself.

MR. SOLOMON NEHMAD: My name is Solomon Nehmad. I am 83 years old. I come from Argentina 60 years ago to this country. Thank God. I kiss the land. And I am sick for three years. I try to sell the building, and it make me sick. I am a cancer person. And I don't understand all those people who come tonight to prepare themselves to all kinds of finagling situation. I live there. The building is like a rack. I was in New York, superintendent of the manager of the building. Over there really problems in buildings. Over here, in this building -- look at this building, it's a beautiful building, like a rock.

The only thing, and lately, the pool they don't let them fix it. There are certain minimum landscaping, minimum things had to be done. It's not like the project -- all those people I never hear something like that in my life.

I don't know what else I can tell you. It's a beautiful -- I would like you

people to come and to look and to go floor by floor.

CHAIRMAN NOVICK: Okay.

MR. SOLOMON NEHMAD: Really, I worked 40 years managing buildings in New York.

CHAIRMAN NOVICK: Thank you.

MR. ALBERT NEHMAD: I'm Solomon's son, Albert, from New York. I came here for this special meeting. I attended the meeting.

MR. COLLER: Can we get your name and address for the record.

MR. ALBERT NEHMAD: Albert Nehmad, 18-05 215 Street, bay -- Bay Terrace, New York.

So I also attended a hearing, a meeting over at the Bay Harbor Town Hall. I've been coming to these special meetings to support the people in the building, to support my father, who's ill.

This is the rock of Gibraltar. This building was built by Flordidian (phonetic) Egyptians. This building is not going down. It's not sinking. The wall is good around the water. The pool

is good. It needs TLC. I'm a property manager and building engineer in Manhattan, in the Bronx. I've got 10 different buildings. There's nothing wrong with this building. It needs TLC. That's all. Everything you heard from the lawyers, the architects, engineers is bologna. Thank you.

CHAIRMAN NOVICK: Quickly, please.

MS. PAUL: Tina Paul, (inaudible) Collins Avenue, Surfside. I'll keep it very simple.

CHAIRMAN NOVICK: Thanks.

MS. PAUL: If the owner wants to sell their units, they can. Selling their unit has nothing to do with historic preservation of the building. An owner that buys it should not buy with intent to destroy it. If someone else buys the building and honors design and integrity, it's a desirable property, a cornerstone of Bay Harbor Islands. There's no need to tear it down. It's beautiful. Thank you.

CHAIRMAN NOVICK: Thank you.

MS. LAWRENCE: I'll be less than two

minutes. My name is Patricia Lawrence. I live at 10350 West Bay Harbor Drive, Bay Harbor Islands, Florida.

I live two buildings down from this one, and I walk my dog. I can tell you that I notice this building everyday when I walk by. It's very beautiful.

I'm not an architect. I don't know if it's real MiMo or not. It's very beautiful to me. The glass is beautiful. The breezeway blocks are beautiful. It's just a very beautiful -- it looks old to me, the building. It appears to be well-maintained, but I don't know that.

Our neighborhood is filled with people that walk, ride bikes and exercise. And almost everyone of those stops at one point or another to look at the beauty of that building. So I hope you'll be able to preserve it. And I just wanted to come here to support, this MiMo.

CHAIRMAN NOVICK: Thank you.

UNIDENTIFIED SPEAKER: Yes, (inaudible) Ocean Drive. I had the great honor of working with Teri D'Amico,

Randall, Don Worth, working on exhibit on MiMo. The first time the word was mentioned in exhibit in New York municipal art society, Madison Avenue. And, subsequently, it has become extremely trendy, if you look at the press.

Just one thing about the emotionality I am hearing from some people in this room. It kind of reminds me when I'm up in New York, my mom was in her early 90's, gets a phone call and I overhear her giving her social security number over the phone. I said, "Why did you do that?" She said, "But the man was so nice." I'm going to give the developer my mother's phone number; nice developers saving people. I'm glad that's what their real mission is and that's what the motivation is.

Seriously, as I've tried to say before, I think something that is unique is extremely valuable. It has great value. It's a post card. It's a brand. Things that are not replicable everywhere else take on great value. If I were to

hold up, you don't have television coverage here, an image, a rendering of the building that is to replace this, show it to anyone and say, "Where is this?" They'll say, "I don't know. I don't know, it's probably in Florida someplace. It could be in Tampa. It could be in Orlando". I'm talking about the replacement building. It's Pininfarina, it's also a Luis Revuelta. You have trouble telling those buildings.

Show someone this building, they'll probably narrow it down. It's probably in Miami Beach. That's extremely valuable, something that looks anywhere -- anywhere on the coast in this state, that is something that is less valuable than something that is remarkable.

Thank you.

CHAIRMAN NOVICK: Thank you.

MS. HART: Hi, my name is Lee Hart. I live in Bay Harbor Continental, and here I am again. And I'll make it very brief.

I'm 80 years old, and I've had a battle, a long ovarian cancer and nine

operations. I worked all my life. I raised a son, put him through college, took care of my mom.

I bought my co-op, because it was a good investment. The corporation owns the land. Now, again, I'm caught in the middle of a problem. The investor on one side and the historic association on the other side.

Please, please reconsider the senior citizens in my building, like myself, who want to sell to the investors and get out of this disturbing situation. Please help us.

CHAIRMAN NOVICK: Okay. We took your position earlier, but thank you for your comments.

If we can briefly move this along, 'cause we have another item we need to get to before we lose a quorum.

UNIDENTIFIED SPEAKER: Good afternoon. I'm talking for a neighbor.

CHAIRMAN NOVICK: State your name and address, please.

UNIDENTIFIED SPEAKER:

(Unintelligible) from Bay Harbor Continental 1135 103 Street.

CHAIRMAN NOVICK: You're speaking --

UNIDENTIFIED SPEAKER: I'm speaking for Mr. Sutherland (phonetic).

"I am writing this letter on behalf of myself, and my mother, Sophia, 20 years of resident of Bay Harbor Continental.

"I am unable to attend today's meeting due to an urgent doctor's appointment.

"The stress of this sale being delayed has caused me additional medical issues. My mother, Unit B1, has been vacant since February 2014."

CHAIRMAN NOVICK: Okay, I'm sorry, ma'am, you're taking the other position. You had your opportunity earlier and we have to move this on. We understand.

Next speaker.

UNIDENTIFIED SPEAKER: Very nice. Thank you very much.

CHAIRMAN NOVICK: Now, again, we're hearing from speakers --

UNIDENTIFIED SPEAKER: Be equal to

everybody.

CHAIRMAN NOVICK: -- of designation.

Please come forward and introduce yourself.

MR. ADAMS: Hi, my name is Alexander Adams. I live at 36 Palermo Avenue, Coral Gables. Speaking for myself, I'm also on the Dade Heritage Trust Board. I was previously the historic preservation Officer for the City of Miami and also in Monroe County. And now I do private consulting, and historic preservation as well as urban design and new developments.

Number 1, I would say is, historic preservation does not take away your zoning, okay? That's a myth. Your rights and your ability to build is still there. They can come back to this Board in the future, if it's designated, to ask for new square footage somewhere on the property that would be contextual. And you know the standards the Secretary of Interior sets up.

Number 2, historic preservation, it does place a high priority on the quality,

not the quantity, in general. And it will ensure that you have a cohesive neighborhood, because you do have the Secretary standards, and because you do have historic guidelines. Even new corridors, like Miracle Mile, are setting up architectural standards, because they want that quality.

Last, I haven't seen this as an individual building, but I haven't seen a district, historic district, in South Florida that has lost money. Historic districts in South Florida have done very well, all the way from we all know South Beach to last weekend, we had the first district in Little Havana. This goes across socioeconomic areas. It goes across, you know, demographics from MiMo to Coral Gables to South Beach. It works.

And, lastly, unfortunately we get into a lot of arguments about other things than what we're just here for. This Board is really here to determine, does it meet the Secretary of Interior Standards. That's really what you're here to do. You

know, they'll be -- they can appeal to commission. They can go to court. Other boards and courts decide economic hardships and other things. You're really here, your job is, does it meet one of the criteria. That's the idea.

CHAIRMAN NOVICK: Okay. Could you sum up your remarks, please. We need to move this along.

MR. ADAMS: Saying that, the architect that originally spoke said that this has merit. He just said it's at the end of its time period. So you need to look at, does this have merit and should it move forward.

CHAIRMAN NOVICK: Thank you.

MR. KASDIN: I have cross-examination.

CHAIRMAN NOVICK: All right, Neisen, make it quick.

MR. KASDIN: Alex, a pleasure to see you.

Have you physically examined the building, been on the property, looked at the physical condition of the building as

was described by the experts?

MR. ADAMS: I'm speaking --

MR. KASDIN: This building.

MR. ADAMS: Yes, in my words, I'm speaking of historic across South Florida. And I have not looked at specifically this individual building.

MR. KASDIN: Is there anything being considered before the Board now, other than this individual building?

MR. ADAMS: No, it's this individual building. And I was just simply stating the priority of this Board.

MR. KASDIN: But you haven't seen it or inspected it.

Number 2, Alex, are you familiar with the County's historic preservation code, the ordinance?

MR. ADAMS: Yes.

MR. KASDIN: I think you stated that the only thing they should consider is whether it has architectural merit.

Isn't it not true that the code also provides that a hardship is established, that there's a basis for not designating

the building?

MR. ADAMS: My simply -- my urging of this Board was to look at the building on its merits. That's my urging, my personal take.

MR. KASDIN: But the code -- 'cause you said that they should look at the architectural value. The code, you'll admit then, says that hardship is something they can consider and base their decision on, correct?

MR. ADAMS: I would leave that to the County attorney.

MR. COLLER: I was going to suggest that myself, actually. If there's an issue -- if there's an issue with the ordinance, we will be happy to respond to the Board.

MR. KASDIN: Final question, Mr. Adams. You talked about the ability to use the building and fix the building. Have you looked at or examined the code of the Town of Bay Harbor Islands, including the zoning code and the building code, to see what is required if they renovate this

building?

MR. ADAMS: I've worked in a lot of municipalities all across South Florida.

CHAIRMAN NOVICK: Neisen, can you wrap this up?

MR. COLLER: Let him answer.

CHAIRMAN NOVICK: We have time constraints.

MR. COLLER: Let him just answer the question, please.

MR. ADAMS: I think what I'm saying is, there is always a way to contextually add onto historic buildings.

MR. KASDIN: But you did not answer my question:

Have you specifically reviewed the code of the Town of Bay Harbor Islands, yes or no?

MR. ADAMS: Not in this particular situation.

MR. KASDIN: No further questions.

CHAIRMAN NOVICK: Okay. Thank you. Thank you.

Folks, let's wrap it up so we can deliberate and decide where we're going to

go on this matter.

Is this the last two speakers? Okay.

MS. BOARDMAN: Hello. Thank you for all your patience. I'm Lisa Boardman (phonetic), 1050 West Bay Harbor Drive. I live at Island Point. I have over 80 signatures of people in our building that are very against the knocking down of Bay Harbor Continental.

We're very afraid what I see in the footprint of the new building that's going up, that it's going from one lot line to another. All the green space is going to be removed. The building they want to build should be on Collins Avenue.

We've seen it 100 times before, it's going to ruin the integrity of Bay Harbor. And that's all I have to say, is please save this building.

CHAIRMAN NOVICK: Thank you.

Last -- our last speaker.

MS. KORMAN: Good afternoon.

CHAIRMAN NOVICK: Good afternoon.

MS. KORMAN: Can you hear me? I'm Nina Korman. I'm a journalist. I'm the

author of the Charles McKirahan in the Tropic Magazine. You might see a different name on it, but it's a misprint. I'm the actual author.

I'm a Miami native. I grew up across the bay in Bay Harbor Island. My father had medical practice for many years.

Before I say anything, I want to preface my remarks with my extreme disappointment with my hero, Laurinda Spear, who spoke out against MiMo architecture. I guess I'm going to have to rip out the introduction of my MiMo book, which she wrote.

And on the matter of hardship, the residents of Bay Harbor Continental, I don't know if anybody has ever mentioned that, Martin Margulies and Martin Taplin, were owners of that building, they're very rich men. I'm sure you know the Margulies Collection. He's a prominent art collector. Mr. Taplin owns the Sagamore Hotel and the Art Hotel. Marguiles can sell one painting and loan all the money to the Bay Harbor Continental to be fixed,

whatever needs to be fixed in that building. So I don't know about hardship. I think they're just savvy investors.

What I'd like to say today is, I've been working for the architecture of Bay Harbor Islands since 2006, with my friend Teri D'Amico. There was a survey, 50-year survey of the building. Five of them were recommended for national register listing. Eighty of them were recommended as local historic landmarks.

Terry D'Amico and I requested a list of the architects who designed in that area. We were given the list. We were in City Hall. We looked down at the list. We looked at each other. I asked is there a place we could go quietly to talk about this, where we can shut the door. We were directed to a conference room. We walked into the conference room and we literally jumped up and down. We could not believe the names on this list. We knew this was a special place, but we had no idea of who these people were that designed these buildings.

Little did we do, that this list included Morris Lapidus, Igor, Norman Giller, Donald G. Smith, Paul Schneider, Charles McKirahan, just to name a few. These were not a band of local yokels. These were people that were known on international level. Charles McKirahan himself had offices in Brazil, Bahamas, Chicago, Ft. Lauderdale. He wasn't just designing in South Florida.

That news that we got about the architects we took to the Town Council, it was met with hostility, ridicule, inaction. It was as if we had gone to an attic and found a bunch o Picasso paintings to them, brought it to them, and they considered them nothing more than crayon drawings by children, not even good enough to hang on the refrigerator.

Since that time, Bay Harbor has had zoning changes. Now buildings can cover 85% of the lot. This building that's being proposed practically looks like it covers 85% of the lot. There's no room for a swimming pool. It has to go on the

roof. That's tragic, in my mind.

Also, in Bay Harbor, there's been a transfer of development rights program instituted. And it's not doing what transfer development rights are supposed to do. They're supposed to help save historic properties and create green space, parks. I don't know what Bay Harbor is doing with their transfer development rights, but it's not doing what it's supposed to be doing.

Last weekend, I took --

CHAIRMAN NOVICK: Nina, I'm sorry, one more minute, one more minute.

MS. KORMAN: Last weekend, I took a walk-through Bay Harbor. There's so many buildings gone, I barely knew where I was. I had a sense that -- I had no real idea where I was.

I'm asking you, the Board, you have the power to stop this, to change this, to put a stop to what's going on in this town. These buildings are irreplaceable, unique. I ask you to help preserve what's left of the character of this building.

Please designate this building historical.
Thank you.
CHAIRMAN NOVICK: Thank you. Thank you.
All right. Is there a motion to close the public hearing?
BOARD MEMBER GEORGE: I move.
MS. KAUFFMAN: Mitch, you have one more person.
CHAIRMAN NOVICK: Listen.
MS. MANN: I'm quick.
CHAIRMAN NOVICK: Two seconds. There's a lot been said.
MS. MANN: My name is Lisa Mann from Bay Harbor Continental. A lot said in both sides.
CHAIRMAN NOVICK: Are you speaking for or against designation?
MS. MANN: For. I'm one of the ones being sued.
CHAIRMAN NOVICK: Wrap it up, 30 seconds.
MS. MANN: A lot has been said on both sides. I ask that this is still one of the sacred ground for determining

historic preservation. One of the venues that aren't conflicted with other interests. Please make it stay that way. Don't allow the Trojan Horse of developers, and taxes, and lawyers and all those other issues that plow what we believe is the main objective here.

CHAIRMAN NOVICK: Okay. Thank you.

THE AUDIENCE: How is your Ferrari?

CHAIRMAN NOVICK: No more speakers.

MR. COLLER: Wait. Mr. Chairman, I need to know whether these people are for the designation or against the designation. Which is it?

MS. HARDY: Sir, I'm for it. I live in the Bay Harbor Continental.

MR. COLLER: And you haven't had an opportunity to speak?

MS. HARDY: No, sir.

MR. COLLER: And are you also? Is there anybody else that was planning to speak for -- is there anybody else? Because these are the last two speakers. You're against it. Well, the against people already had the opportunity to

speak, so you're the last person.

CHAIRMAN NOVICK: State your name.

MS. HARDY: I simply came to say when I asked please come for me today as a nurse, she said why would you spend your vacation time doing that. I said --

MR. COLLER: Excuse me, I'm sorry, I'm sorry to interrupt you.

MS. HARDY: Joanne Hardy.

MR. COLLER: And you need to slow down a little bit, 'cause we've got a court reporter here. So what is your name and address.

MS. HARDY: Joanne Hardy, 1135 103 street, Bay Harbor Continental, apartment A1.

As I was saying, I asked somebody to -- staff member to cover for me. Staff said why would I spend my vacation time coming to do something like this. And I replied that it was the most beautiful, unique -- beautifully unique retro building on the island.

And I would just -- we just came to speak to that really to say that when I'm

walking the dog, and the sun is coming down in a certain time, the glass blocks reflect on the back of the walkway of the catwalks and sparkle. And the palm trees on the left side of the building cast a shadow that is just awe inspiring and so gorgeous.

And to say that the landscape were only the front part is something to love, I think there's more joy than our neighbors when we walk our dogs we talk about. We should happen to find the joy when the sun is going down.

That's all I came to say.

CHAIRMAN NOVICK: Thank you. No more speakers. Your opportunity has past.

UNIDENTIFIED SPEAKER: I want to talk, because they didn't give me a chance.

CHAIRMAN NOVICK: You were here earlier and you missed your opportunity.

Now, is there a motion to close the property.

UNIDENTIFIED SPEAKER: I have things I want to say. There's one apartment, one

bedroom and one bathroom.

CHAIRMAN NOVICK: Ma'am, you're out of order.

UNIDENTIFIED SPEAKER: Yeah, but this is really not fair. A lot of us do not talk and you let all of them talk.

CHAIRMAN NOVICK: There's a motion and a second. Those in support indicate by saying aye?

ALL BOARD MEMBERS: Aye.

CHAIRMAN NOVICK: Opposed?

Public hearing is closed.

BOARD MEMBER MR. COHEN: This is without a doubt been the most difficult issue coming before the door of all of my experience on the Board. As a group, we work very hard, very diligently to take into consideration the situation.

CHAIRMAN NOVICK: Rick, Rick, speak up.

BOARD MEMBER MR. COHEN: I'm trying.

We worked very hard as a Board to take into consideration all sides of the story. We fully understand the implications and the repercussions here.

We do believe in our mission, very much so.

We have to take a narrow view at times in terms and take recommendations from staff as well as listen to testimony from the public and make our determination whether a building or a site does meet criteria. And from what I've seen so far, I believe that it probably does.

However, the economic hardship aspect is a very important consideration that has to be examined very carefully. I truly believe that all the speakers here, on both sides, have been sincere, and there are implications on both sides of this issue and this makes it all the more difficult for us to make our determination.

In certain respects regarding economic hardship, this site, in almost any set of circumstances and condition, I believe will always maintain a high level of value, and that, in turn, kind of plays into the difficulty of determining the hardship aspect, but I believe that

everybody, you know, the people that have spoken today do have, you know, sincere concerns.

One of the things that we've tried to do as a Board in the past is try to find some common ground where satisfaction can be met among all parties. We got a chance today to see the Pininfarina design. I felt that it had a lot of very reminiscent characteristics and aspects similar to the building. And I have found in the past that there have been situations where new buildings were designed that were reminiscent or new buildings were built in complement to what was existing.

And I do feel that it's possible that a compromise can be perhaps found with the developer that could maintain reminiscent aspects of the architecture and the design and maintain that degree of integrity. It's not -- it couldn't be necessarily what it was, but I think it could be close and acceptable.

This Board recently took a look at I believe it was the Surf Club, where a new

building was built around the existing historic building. And it complements. And there are other buildings around the country.

I would like to say that I recognize, and I think that all here interested should also recognize that historic preservation is widely documented to maintain value in the community. And that needs to be, you know, recognized at all times.

I had three problems with objectivity on the part of the experts, the engineers, but at the same time it didn't seem that, outside of general opinion, we do not have expert testimony to contradict testimony regarding the condition of the building from the experts who came and spoke to us today.

Ultimately, I feel that the marketplace could resolve all the concerns by finding the right level of price to make all the owners willing sellers, and, again, to work on a design plan that complements the existing facility and

satisfies those concerns on all sides of the aisle. Enough said.

CHAIRMAN NOVICK: JoEllen.

BOARD MEMBER PHILLIPS: I have some other concerns, but I'm thinking of them through here.

MR. COLLER: Can I ask you -- I apologize.

THE AUDIENCE: We can't hear you.

MR. COLLER: Excuse me.

The people were going to handle this up here, okay? When somebody can't be heard, we'll take care of it. You don't need to yell from the audience. We don't have microphones, unfortunately, for the Board members and in this space it's very difficult for the court reporter to hear you. So I would just ask if you could speak up a little bit more, I apologize, but it's the only way that she's going to be able to get your testimony down.

BOARD MEMBER PHILLIPS: This isn't going to be testimony right now.

MR. COLLER: I apologize. Not testimony, your discussion.

BOARD MEMBER PHILLIPS: That, in fact, there's some questions that were placed in my mind just within the last few moments that are not answered right now. And I think that they need to be answered. And Rick just brought up some additional ones.

Also, by seeing this lovely rendering, then hearing about the footprint, there's just a lot of questions still that are here as far as being able to make a good determination, but I'll go back to what the question or the statement that Enid Pinkney raised a while back, when she said, "What are we here for"? And we are here for historic preservation, but it also goes hand-in-hand with the economy.

Now, I would like to ask the attorney, please, if we defer, what happens here? What does --

MR. KASDIN: Mr. Chair, through the Chair, point of order. There was -- Board member is correctly pointing out information given. It was actual

disinformation in the last testimony, which was the lot coverage, which is not 85%; it's 40%. And so I would like to offer that for the Board: It's, in fact, 40% coverage, not 85% coverage.

MR. COLLER: The question that's pending is what happens if you defer? If you defer to a date certain, then there will be no further notice.

However, if it's your intent to ask members that have been presenting back and forth, it may require opening up the entire public hearing again, if you choose to do that.

I don't know what the purpose for your deferral is, but it can be deferred. It can be to a date certain. You may -- you've closed the public hearing, but based upon -- if you asked, for example, Mr. Kasdin a question with regard to the cost and the hardship, well, then you're going to have to allow somebody that's in favor of the designation to come up and say why they believe it is not a hardship. So I just want you to understand, you can

defer, but that may be the consequence.

BOARD MEMBER PHILLIPS: That's why I didn't ask a question, okay? So if we let the other Board members please have their say.

MR. COLLER: Sure.

CHAIRMAN NOVICK: Who wants to chime in?

BOARD MEMBER GEORGE: No, Rick really shared a lot of my sentiments. Most difficult thing I've come up against in 18 years on this preservation board.

Also, it goes to fill certain criteria that we have in front of us every time we adjudge a building.

THE AUDIENCE: Can you please speak up, please?

BOARD MEMBER GEORGE: Yes, I'm also looking at criteria. It does fulfill in my mind some of the criteria we looked at when we adjudge a building to be either historic preservation building candidate or not to be, but it's a very complicated issue. This is the X meeting we have this. Tempers are hot. There seems to be

a lot involved in this. We've got a lot of responsibility. That's probably why JoEllen has asked about deferral. It's almost, like, we need more time to think it through. We've been hit hard with a lot of information. We had a lot of information before. It's still a hard call.

Mr. Kasdin, who's a friend of mine, articulate attorney, but other people have also been very articulate on both sides of this issue, so it's a very, very difficult situation for John Q. Citizen. I'm a professional historian. I'm having problems with this whole thing.

But I'm looking at criteria. And I see the building filling some of the criteria we setup to designate a building. I'm going to leave it at that at this point.

CHAIRMAN NOVICK: Ruth, do you care to chime in?

BOARD MEMBER CAMPBELL: I think between what these two gentlemen have said, that's it.

CHAIRMAN NOVICK: Okay. I believe we should move forward today with designation. I believe that's our charge. I believe firmly that this building meets the criteria for designation. And we'd be remiss if we should move in another direction.

So with that, I would entertain a motion to move forward with designation.

MR. COLLER: Or obviously as the Chair, you're going to entertain a motion either way.

If you would like to, as Chair, make the motion, then you need to pass the gavel.

CHAIRMAN NOVICK: Is anyone going to make a motion?

BOARD MEMBER MS. CAMPBELL: I can.

CHAIRMAN NOVICK: Ruth.

BOARD MEMBER MS. CAMPBELL: I move that we designate the properties that we have seen today.

CHAIRMAN NOVICK: Well, perhaps staff, can you reword that? Are we --

BOARD MEMBER MS. CAMPBELL: Yeah, we

need better wording.

MS. KAUFFMAN: You would -- she would be making a motion to designate the Bay Harbor Continental as a historic site.

CHAIRMAN NOVICK: That's correct.

BOARD MEMBER MS. CAMPBELL: That's it.

CHAIRMAN NOVICK: I would second that motion.

MR. KIRTLEY: Mitch, just a suggestion about the stay language and the moratorium, perhaps thinking about adding that onto your motion.

CHAIRMAN NOVICK: Yes, please, Staff, correct me. If we should proceed with designation and the matter should be appealed, which is likely, we would request a moratorium to be put in place as part of our motion in an effort to, of course, protect the building from demolition.

Did I state that correctly?

MR. KIRTLEY: Yeah, and the decision would be stayed of this Board pending this

appeal.

CHAIRMAN NOVICK: Yes, and the decision would be stayed pending the appeal.

So that's the motion, and I seconded that motion.

And all those in support of the motion --

MS. KAUFFMAN: I think you should roll call it.

CHAIRMAN NOVICK: Okay, roll call.

THE CLERK: Barry Appel?

Ruth Campbell?

BOARD MEMBER MS. CAMPBELL: Yes.

THE CLERK: Adriana Cantillo?

Rick Cohen?

BOARD MEMBER MR. COHEN: Yes.

THE CLERK: Paul George?

BOARD MEMBER MR. GEORGE: Yes.

THE CLERK: Mitch Novick?

CHAIRMAN NOVICK: Yes.

THE CLERK: JoEllen Phillips?

BOARD MEMBER PHILLIPS: Yes.

THE CLERK: Enid Pinkney?

CHAIRMAN NOVICK: She's not here.

THE CLERK: Rhonda Vongates?

That's it.

CHAIRMAN NOVICK: Okay. Thank you, folks.

(Thereupon, at 4:51 p.m., the hearing was concluded on Item Bay Harbor Continental).

CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF DADE)

I, Lorena Ramos, Notary Public, State of Florida, certify that all witnesses personally appeared before me on this 04/15/2015 and was duly sworn.

Lorena Ramos

LORENA RAMOS, NOTARY PUBLIC

STATE OF FLORIDA

Commission #FF119086 MAY 4, 2018

CERTIFICATE OF REPORTER

I, Lorena Ramos, Registered Professional Reporter and Florida Professional Reporter, do hereby certify that I was authorized to and did report the foregoing proceeding of the Miami-Dade County Historic Preservation Board, who held their meeting on the 15th day of April 2015,' and that the transcript of the Bay Harbor Continental Item, pages 1 through 126, is a true and correct record of my stenographic notes.

DATED this 24th day of April 2015, at Miami-Dade County, Florida.

Lorena Ramos

LORENA RAMOS, RPR

COURT REPORTER

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Kauffman, Kathleen (RER)

From: Teri D'amico - D'amico Design Associates <teri@dadausa.com>
Sent: Wednesday, January 22, 2014 7:46 PM
To: Kauffman, Kathleen (RER)
Cc: Christina LaBuzetta
Subject: RE: Bay Harbor Islands

Kathleen I have included Christina LaBuzetta, she has been a major supporter for Bay Harbor Islands, and she is also board member at MDPL, she could represent us with MDPL, I believe Charlie is leaving soon.

From: Kauffman, Kathleen (RER) [mailto:kkauff@miamidade.gov]
Sent: Wednesday, January 22, 2014 6:01 PM
To: Teri D'amico - D'amico Design Associates
Cc: macbirch@aol.com; arvamiami@bellsouth.net; dontonton@gmail.com; herb sosa (herbsosa@yahoo.com); info@dadeheritagetrust.org; George Neary (George@miamiandbeaches.com); Charles Urstadt; nanlieb@aol.com; Karen Nickless; Rick@regarchitects.com; richard@rjha.net; Daniel Ciraldo; Mitch Scott (sherbrooke2001@hotmail.com); Cody, Sarah (RER); Dade Heritage Trust (dadeheritage@DHT.comcastbiz.net); don@deconetworks.com
Subject: Bay Harbor Islands

Dear Teri (and other friends of Mid-century architecture:)

I know you have been shouting it for years now, but we are in concurrence that the time has come.

There needs to be a serious game plan, beyond just randomly talking about mid-century resources in various symposiums or organizing field trips for school children (though that too, is important.)

If you don't understand the imminent challenge here before us today, let me tell you.... The mid-century architecture that is the heart and soul of (the East) Bay Harbor Island is in terrible peril. Even now, as we speak, more than twelve (12!!) new projects have been approved and the historic gems are being torn down. Just last night (Tuesday) the Planning and Zoning board for the city approved the construction of a 6-unit townhouse (that, coincidentally, is taking down a jalousie-windowed jewel designed by Igor Polivitsky.)

Our office is planning to submit Bay Harbor Islands (the east island) to the National Trust's 11 Most Endangered. Also, we agree to help come up with the game plan, but we cannot execute the game plan on our own. It will take the involvement of DHT, the Villagers, MDPL (if they are available) and more importantly, the people who live in Bay Harbor Island who I believe, after talking with so many of the residents, are saddened by the thought of their beloved town's character being slowly destroyed.

Teri is meeting with our staff in the next couple of days to document fully the buildings that have had demolition permits approved, and what it going up in its place.

Then, I would like very much like for us to get together and have a very serious discussion, within the next two weeks, to come up with said game plan.

Until I can coordinate a date that works for all of us, I would like to leave you with this thought.... Please take note of the email blast below. This email blast, called Save Miami Beach, along with the very successful Facebook page "Protect Miami Beach Historic Homes," have done WONDERS in only a few short months since their creation to raise awareness and provide a forum for people who care to be able to share ideas, information, and notifications through it.

If you know of others that should be included in this group, feel free to pass along this email.

Kathleen Slesnick Kauffman
Historic Preservation Chief, Miami-Dade County
111 NW 1st Street, Mailbox #114
(physical location 12th floor)
Miami, FL 33128
(305) 375-4958

The greenest building is the one already built.

From: SaveMiamiBeach.org [mailto:info=savemiamibeach.org@mail20.wdc03.rsgsv.net] **On Behalf Of** SaveMiamiBeach.org
Sent: Tuesday, January 21, 2014 2:14 PM
To: Kauffman, Kathleen (RER)
Subject: 2 Meetings to Go - Please Join Us Tomorrow + Feb 12th

Dear Kathleen Last Wednesday was a big win for neighborhoods, as the Commission approved

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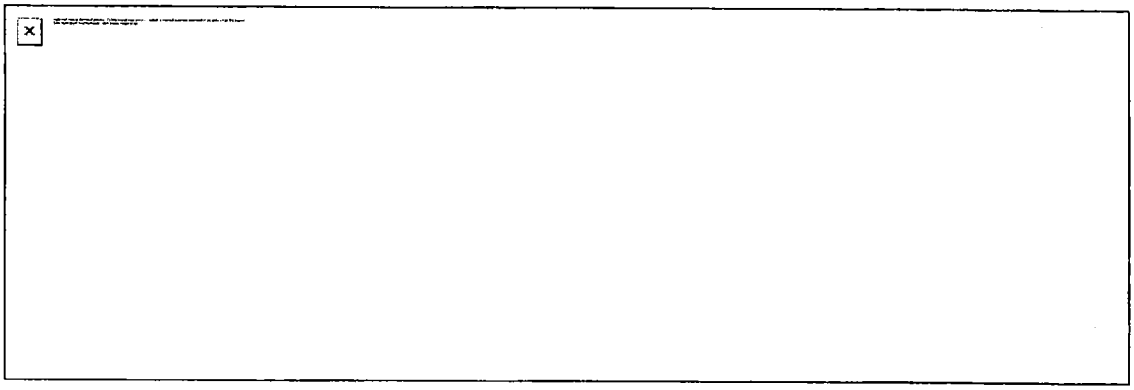

Dear Kathleen

Last Wednesday was a big win for neighborhoods, as the Commission approved the First Readings of the 2 ordinances aimed at preserving neighborhood character. Thank you to those who came out or wrote in - every person counted!

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Now we have just two more critical meetings that need to occur before the ordinances become law. The first is tomorrow at 3pm - at the Land Use Committee. The second is the next Commission Meeting.**

You can read the highlights of the proposed ordinances at the following link, including photo explanations of the major updates: click here.

Kauffman, Kathleen (RER)

From: Cody, Sarah (RER)
Sent: Wednesday, February 26, 2014 4:27 PM
To: Kauffman, Kathleen (RER)
Cc: Ransom, Jeff (RER)
Subject: RE: Bay Harbor Islands

Here's some good info/tips on nominating sites to this year's National Trust 11 Most Endangered List. http://blog.preservationnation.org/2014/02/25/nominate-place-2014-americas-11-most-endangered-historic-places-list/#.Uw5V_U2YZ9M

Specific factors they look at when deciding include: its significance, the engagement of local groups in its preservation, the urgency of the threat the site faces, and potential solutions to that threat. (Basically, they want to know that local groups are engaged and that it's not a lost cause.) Also, it needs to be a site with national appeal, so text should be attention-getting and not too technical. The text should make it clear why the threatened resource is unique. Choose photos wisely – they should draw you in and "help bring the story to life."

There are two categories of sites they are interested in this year, though any site can be nominated. This year they want to focus on places that highlight the diversity of the nation and on places designed in the Modernist style.

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)
"Delivering Excellence Every Day"

From: Cody, Sarah (RER)
Sent: Monday, February 24, 2014 12:04 PM
To: Kauffman, Kathleen (RER)
Cc: Ransom, Jeff (RER)
Subject: RE: Bay Harbor Islands

Kathleen,
The deadline for nominations to the National Trust's 11 Most Endangered Historic Places is next Monday, March 3. So if we want to nominate Bay Harbor Islands, or any other site, this week is the week! Attached is a Word template I made according to the information required for the nomination. It is essentially a few short (150-300 word) paragraphs answering various questions – why should we care about this place, what is the threat, etc. Two photos per nomination are also required.

This is the link for the online nomination. Once we type it up in word, we just copy and paste the text into the appropriate boxes. http://www.preservationnation.org/issues/11-most-endangered/11-most-form.html#.Uwt6Gk2YZ9M

When we write up the nomination, we should remember that the National Trust is always looking for something that is very marketable or has a good newsworthy angle. Basically, it has to be something that people beyond Miami-Dade County will take an interest in, so the text should be attention-getting and make the resource sound super exciting.

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)

"Delivering Excellence Every Day"

From: Kauffman, Kathleen (RER)
Sent: Tuesday, January 07, 2014 11:35 AM
To: Cody, Sarah (RER)
Subject: FW: Bay Harbor Islands

Please take a look at this and see how involved it is. If it's not too much, I want us to go ahead and nominate Bay Harbor Islands. If it seems like a lot of work, we will ask Dade Heritage Trust to do it.

Kathleen Slesnick Kauffman
Historic Preservation Chief, Miami-Dade County
111 NW 1st Street, Mailbox #114
(physical location 12th floor)
Miami, FL 33128
(305) 375-4958

The greenest building is the one already built.

From: Karen Nickless [mailto:KNickless@savingplaces.org]
Sent: Tuesday, January 07, 2014 11:29 AM
To: Kauffman, Kathleen (RER)
Subject: RE: Bay Harbor Islands

Deadline is March 3: http://www.preservationnation.org/issues/11-most-endangered/about-11-most-endangered-list.html#.UswrGLSBUvM

Karen Nickless, Ph.D. | Field Officer
P 843.722.8552 F 843.722.8652 Cell 843.754.5166

NATIONAL TRUST FOR HISTORIC PRESERVATION
Charleston Field Office
456 King Street Charleston SC 29403
www.PreservationNation.org

From: Kauffman, Kathleen (RER) [mailto:kkauff@miamidade.gov]
Sent: Tuesday, January 07, 2014 11:22 AM
To: Karen_Nickless@nthp.org
Subject: Bay Harbor Islands

When are you accepting stuff for most endangered?

Kathleen Slesnick Kauffman
Historic Preservation Chief, Miami-Dade County
111 NW 1st Street, Mailbox #114
(physical location 12th floor)
Miami, FL 33128

Kauffman, Kathleen (RER)

From: Cody, Sarah (RER)
Sent: Tuesday, March 04, 2014 8:26 AM
To: Kauffman, Kathleen (RER)
Subject: FW: Confirmation: 11 Most Endangered Nomination Form 2014

Kathleen – see below. This is the second confirmation email I received.

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)
"Delivering Excellence Every Day"

From: cms@convio.com [mailto:cms@convio.com]
Sent: Monday, March 03, 2014 4:09 PM
To: Cody, Sarah (RER)
Subject: Confirmation: 11 Most Endangered Nomination Form 2014

Confirmation: 11 Most Endangered Nomination Form 2014

Home > Issues > 11 Most Endangered Historic Places > 11 Most Endangered Nomination Form 2014

Greetings,

Thank you for submitting your information on the form **11 Most Endangered Nomination Form 2014**.

This is an automated message to confirm that your information was received. Please do not respond.

~~Submitted on:~~	~~March 3, 2014~~
Contact Person	Sarah K. Cody
Email	scody@miamidade.gov
Name of Place	Bay Harbor Islands (the East Island)
Location	Bay Harbor Islands, FL
Date Submitted	3/3/2014
Summary	In recent years, national preservation efforts have begun to focus on the significance of Modernist designs. The reason for this is simple: this design style emerged in the mid-20th century and many of these resources are just now reaching the 50-year mark. Because preservation of cultural resources that reflect the Modernist design style is a relatively new effort, people are still struggling with how to best educate others on the

	role and value of Modernist design in the evolution of nationally significant design styles. Because the historic significance of these Modernist buildings is not always readily understood, many have already been lost. At just 150 acres, Bay Harbor Islands' East Island boasts an impressive collection of mid-century buildings designed in the Miami Modern (MiMo) style. East Island contains hundreds of buildings constructed during the heyday of Modernist design. In 2006, the Town of Bay Harbor Islands commissioned an inventory of its buildings. The results of this study were astounding. It revealed that over 300 structures were 50 years old or older (a number which is now higher since the study was undertaken 8 years ago). Of these 300-plus buildings, approximately 80 were identified as eligible for local historic designation and at least 5 structures were deemed significant enough to warrant nomination to the National Register of Historic Places. Though the local historic preservation office attempted to designate several individual buildings, this effort was met with great resistance and has since stalled. Inclusion on the National Trust's 11 Most Endangered List would help tremendously in educating the Town on the significance and value of their unique collection of historic MiMo buildings.
Brief Description	Bay Harbor Islands was created with a West Island and an East Island. West Island contains only single family homes, while East Island was developed as a true mixed-use, pedestrian-scaled community with multi-family buildings, public amenities, and a defined commercial area. Though the islands were engineered from a couple of swampy mangrove patches in 1947, they were almost completely built-out by 1959. The East Island boasts one of the largest concentrated collections of Miami Mid-Century Modern (MiMo) style buildings. Many of the buildings were designed by prominent architects working in Miami Beach, including Morris Lapidus, Igor Polevitzky, Norman Giller, and Charles McKirahan. These architects helped transition the definitive Miami architectural style from Art Deco in the 1930s into the MiMo style that emerged in the mid-20th century. MiMo is Miami's unique interpretation of the Modernist movement, adapted to suit the local climate. MiMo embodied the mid-century ideals of progress, looking forward towards the future. Pre-cast concrete screens boasted fun geometric patterns while sheltering residents from the intense sun. Cantilevered roofs were perforated with cut-outs where palm trees could stretch up to the open sky above. Exterior decoration evoked a sense of the tropical environment, using abstract forms in shades of sea green, and featuring representations of sea life, like mermaids, dolphins, seahorses, and seashells. The MiMo style defined a new architectural vocabulary that not only spoke to the novelty and futurism embedded in modernist design, but that addressed functional concerns of living in the subtropical climate of Miami. People are drawn to Miami's distinct neighborhoods like Bay Harbor Islands because they offer a unique sense of place. The rapid development that is occurring on East Island is stripping the neighborhood of its character and charm. If this pattern of demolition and development continues, the unique architectural features that attracted residents and tourists to the community will be lost, along with sense of place that defines Bay Harbor Islands.
Threat	Threat: Development While most of these buildings range from two to five stories tall, the city zoning allows for much larger towers to be erected. The Miami-Dade County Office of Historic Preservation, which has preservation jurisdiction over Bay Harbor Islands attempted to designate a number of individual buildings on East Island. Local designation would prevent the demolition of these significant, mid-century buildings. While many island residents recognize the special, unique character of their collection of MiMo buildings, the designation effort was met with great resistance. The immediate economic benefits of tearing down and building higher are being pursued without consideration of the long-term benefits of historic preservation. Efforts to move forward with local designation were stalled. As Miami, and the rest of the country, began to recover from the recent economic and real estate recession, large-scale development projects have been approved. Development throughout the Miami area is now increasing at a rapid pace. Numerous major development projects have been proposed, and approved, throughout East Island. What was once a cohesive collection of mid-century modern buildings is now being pulled apart by these development projects. A number of historically significant buildings have already been demolished and several more are

	being considered. This rapid, piecemeal development of a thoughtfully designed, cohesive Modernist community is stripping away the distinct character of East Island.
Solutions	Local historic designation is the most obvious solution. However, politically, this has been difficult to achieve. In order for designation efforts to be successful, a campaign for advocacy, public awareness, and community engagement must happen. While many of East Islands' residents recognize the special Modernist community in which they choose to live, town officials better understand the economic benefits of developing large towers over the sometimes more intangible benefits of historic preservation. If residents better understood the eminent threat to their community, and town officials better understood not only how much the residents value the character defined by the collection of Modernist buildings, but also the benefits of historic preservation, both tangible and intangible, designation efforts would be met with less opposition and the significant concentration of MiMo buildings could not only be protected but celebrated.
Get Involved	The Miami-Dade County Office of Historic Preservation has been invited to work with a group of concerned residents to formulate a plan for advocacy and increased awareness, including a focused social media campaign. Advocacy and public engagement is essential to the effort to save East Island's MiMo collection. Increased public attention would help garner support for local designation. Additionally, Dade Heritage Trust has already been actively promoting the preservation of mid-century resources through tours, lectures, and workshops. This listing will allow them to focus more attention and activities directly to Bay Harbor Islands. Without these Modernist buildings, the island loses its character, and in turn loses its ability to attract residents, business owners, and tourists. National media attention would help the town understand the urgency of the issue and recognize how preserving its historic resources will ultimately benefit them more than replacing their unique resources with generic towers that are popping up throughout the Miami area.
Local Preservationist	First and foremost, concerned individuals can contact the Town Council of Bay Harbor Islands and voice their concern for the current trend of demolition and development. At least twelve major development projects have recently been approved by the Town which would build large towers out of context with the thoughtfully planned and pedestrian-scaled MiMo community. The Town needs to be made aware that its residents value their historic community. Once a social media presence has been established in support of protecting East Island's historic collection of Modernist buildings, people from near and far can join and follow the issue in real-time. This type of social media campaign not only raises awareness, but provides a valuable forum for people who care about the character of East Island to share ideas and information, and provide a unified voice for the protection of these significant buildings.
Photo 1	https://cmsadmin30.convio.net/admin/item/actions/status.jsp?itemID=505974293
Photo 2	https://cmsadmin30.convio.net/admin/item/actions/status.jsp?itemID=505974297
Source	Email from the National Trust
Other Source	

SUMMER HISTORIC PRESERVATION INTERNSHIP
Miami-Dade County Office of Historic Preservation

Programmatic Description

Miami-Dade County's Office of Historic Preservation (OHP) occasionally has the ability to utilize interns to assist in ongoing preservation projects and initiatives. The purpose of providing students with these internships is to encourage a lifelong interest in the field of historic preservation, while providing real-life opportunities to help develop the necessary skill set unique to government agencies for future employment post-graduation.

Internship Objective

The internship opportunity for Summer 2014 shall assist the Office of Historic Preservation in the updating of the historic survey and documentation of historic buildings within the municipality of Bay Harbor Islands (the east island.)

The east island of the two islands which make up Bay Harbor Island is a mix of small garden-style apartment buildings, condominiums, and commercial structures. Currently, it is one of the largest concentrations of mid-century architecture anywhere in South Florida, and perhaps, the nation.

Since the Office of Historic Preservation first surveyed the east island several years ago, the existing building stock has changed, including many demolitions of pre-1960 structures, and the construction of new mid-rise apartment/condo buildings. The existing survey, including photographs and maps, needs to be updated to reflect any changes.

Additionally, the internship shall begin the research and draft text for a National Register Nomination for a possible district. This work shall include the determination if a traditional district or a multiple property listing (or no district) is the most appropriate approach.

The summer internship shall provide the following educational experiences:

- Developing a relationship with the Division of Historical Resources, Bureau of Historic Preservation in Tallahassee, especially with the National Register section employees
- National Register nomination preparation, including research, writing, and editing
- Documentation of historic structures, including how to photograph historic buildings for inclusion in a National Register nomination
- Florida Master Site File preparation
- Preparation of a series of maps to show changes over a period of time
- Incorporation of findings into PowerPoint presentations
- Exploration of various primary research avenues through various sources (clerk's office, libraries, microfilm, internet, Sanborn maps, etc.)
- Presentation of findings to a citizen preservation advocacy group interested in the preservation of Bay Harbor Islands

Kauffman, Kathleen (RER)

From: Armand, Cristina (Office of the Mayor)
Sent: Friday, June 27, 2014 1:24 PM
To: Cody, Sarah (RER)
Cc: Kauffman, Kathleen (RER); Hernandez, Michael A. (Office of the Mayor)
Subject: RE: 11 Most Endangered

I will look over it. Who will be the media contact for the release?

Cristina Armand
Communications Office
Miami-Dade County
111 NW 1 Street, 29th Floor, Miami, FL 33128
Communications Office: (305) 375-1545
Direct Line: (305) 375-3710
Fax: (305) 375-3304
Mobile: (305) 812-1733
E-mail: carmand@miamidade.gov
www.miamidade.gov

From: Cody, Sarah (RER)
Sent: Friday, June 27, 2014 12:27 PM
To: Armand, Cristina (Office of the Mayor)
Cc: Kauffman, Kathleen (RER); Hernandez, Michael A. (Office of the Mayor)
Subject: RE: 11 Most Endangered

Hi Christina,
Kathleen and I put together a press release for your use. Please see attached and let us know if you have any questions, or if you need any additional information.

Thanks,

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)

"Delivering Excellence Every Day"

From: Kauffman, Kathleen (RER)
Sent: Friday, June 27, 2014 12:00 PM
To: Cody, Sarah (RER)
Subject: FW: 11 Most Endangered

Kathleen Slesnick Kauffman
Historic Preservation Chief, Miami-Dade County
111 NW 1st Street, Mailbox #114

(physical location 12th floor)
Miami, FL 33128
(305) 375-4958

The greenest building is the one already built.

From: Armand, Cristina (Office of the Mayor)
Sent: Thursday, June 26, 2014 4:29 PM
To: Kauffman, Kathleen (RER)
Cc: Hernandez, Michael A. (Office of the Mayor)
Subject: RE: 11 Most Endangered

Kathleen,

I'll reach out to you tomorrow so when can get something out.

Cristina Armand
Communications Office
Miami-Dade County
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Communications Office: (305) 375-1545
Direct Line: (305) 375-3710
Fax: (305) 375-3304
Mobile: (305) 812-1733
E-mail: carmand@miamidade.gov
www.miamidade.gov

From: Hernandez, Michael A. (Office of the Mayor)
Sent: Thursday, June 26, 2014 4:24 PM
To: Kauffman, Kathleen (RER)
Cc: Armand, Cristina (Office of the Mayor)
Subject: Re: 11 Most Endangered

Yes. Been out of the office. Cristina, pls work with them.

Sent from my iPhone

On Jun 26, 2014, at 3:48 PM, "Kauffman, Kathleen (RER)" <kkauff@miamidade.gov> wrote:

> Shouldn't we get a press release out soon?
>
> Kathleen Slesnick Kauffman
> Historic Preservation Chief, Miami-Dade County
> 111 NW 1st Street, Mailbox #114
> (physical location 12th floor)
> Miami, FL 33128
> (305) 375-4958
>
> *The greenest building is the one already built.*

From: Hernandez, Michael A. (Office of the Mayor)
Sent: Tuesday, June 24, 2014 4:29 PM
To: Kauffman, Kathleen (RER)
Cc: Ransom, Jeff (RER); Cody, Sarah (RER); Armand, Cristina (Office of the Mayor)
Subject: Re: 11 Most Endangered

I was aware.

Will work with your team on preparing a release.

Mike

Sent from my iPhone

On Jun 24, 2014, at 4:21 PM, "Kauffman, Kathleen (RER)" <kkauff@miamidade.gov> wrote:

> Hi Michael,
>
> This is big news.... The Town of Bay Harbor Islands was selected as one of the National Trust for Historic Preservation's 11 Most Endangered Sites.
>
> Maybe you can help us spread the word?
>
> **Kathleen Slesnick Kauffman**
> Historic Preservation Chief, Miami-Dade County
> 111 NW 1st Street, Mailbox #114
> (physical location 12th floor)
> Miami, FL 33128
> (305) 375-4958
>
> *The greenest building is the one already built.*
>
> **From:** Cody, Sarah (RER)
> **Sent:** Tuesday, June 24, 2014 11:45 AM
> **To:** Kauffman, Kathleen (RER)
> **Cc:** Ransom, Jeff (RER)
> **Subject:** 11 Most Endangered
>
> Lots of coverage today... a lot of local media outlets and also big national ones, including CNN and Time.
>
> http://www.preservationnation.org/issues/11-most-endangered/ (the official NTHP site)
>
> http://www.cnn.com/2014/06/23/travel/most-endangered-historic-places-2014/ (look which pic is #1!)
> http://time.com/2911987/report-americas-11-most-endangered-historic-places/
>
> **Sarah K. Cody**
> **Historic Preservation Planner**
> **Miami-Dade County Office of Historic Preservation**

Kauffman, Kathleen (RER)

From: Cody, Sarah (RER)
Sent: Monday, May 19, 2014 2:01 PM
To: Jessica Pumphrey; Kauffman, Kathleen (RER)
Cc: Karen Nickless
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List
Attachments: BayHarborIsland-Photos.zip

Hi Jessica,
Thank you again for today's discussion. We are super excited to be on this year's list and look forward to working with you towards the big announcement! Attached please find a zipped folder with 11 photographs, sequentially numbered.

Please note photos 1-3 are of the Charles McKirahan-designed building Kathleen mentioned. McKirahan was a South Florida architect and was significant in terms of defining the mid-century Miami Modern (MiMo) design. This building was constructed in 1958 and is one of the most architecturally significant buildings on East Island. It has recently been sold and while, to our knowledge, a demolition permit has not yet been issued, the reason for the sale is to demolish and build a new, larger tower.

Photo 4 is the building right next door and was also designed by Charles McKirahan. This building, constructed in 1956, is also one of the most architecturally significant on the island. The reason I am calling out this photo is that it may be of interest (and quite familiar) to a wider audience – the exterior of this building served as the apartment building for Dexter, the main character on the popular Showtime series, *Dexter*.

The rest of the photos exemplify the style and character of buildings found throughout Bay Harbor Islands' East Island. Please don't hesitate to ask if you need any additional information or photographs.

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)
"Delivering Excellence Every Day"

From: Jessica Pumphrey [mailto:JPumphrey@savingplaces.org]
Sent: Monday, May 19, 2014 1:42 PM
To: Cody, Sarah (RER); Kauffman, Kathleen (RER)
Cc: Karen Nickless
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Hello All:

Thank you for a great call today. Attached you will find the Trademark License Agreement for your review and signature. Please let me know if you have any questions. I look forward to receiving the photos AND working together to get as much public attention as possible for the Bay Harbor Islands.

Best,

Jessica Pumphrey

Jessica Pumphrey | ASSOCIATE MANAGER, PUBLIC AFFAIRS
P 202.588.6358 F 202.588.6299

NATIONAL TRUST FOR HISTORIC PRESERVATION
The Watergate Office Building
2600 Virginia Avenue NW Suite 1000 Washington, DC 20037
www.PreservationNation.org

From: Cody, Sarah (RER) [mailto:scody@miamidade.gov]
Sent: Monday, May 19, 2014 1:03 PM
To: Jessica Pumphrey; Karen Nickless
Cc: Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

No problem, please call Kathleen's direct number – 305-375-3506.

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)

"Delivering Excellence Every Day"

From: Jessica Pumphrey [mailto:JPumphrey@savingplaces.org]
Sent: Monday, May 19, 2014 1:02 PM
To: Karen Nickless; Cody, Sarah (RER)
Cc: Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Hello All:

It appears that our conference line has been double booked. We will do a regular conference call instead. Please listen out for a phone call shortly.

Thank you,

Jessica Pumphrey

Jessica Pumphrey | ASSOCIATE MANAGER, PUBLIC AFFAIRS
P 202.588.6358 F 202.588.6299

NATIONAL TRUST FOR HISTORIC PRESERVATION
The Watergate Office Building
2600 Virginia Avenue NW Suite 1000 Washington, DC 20037
www.PreservationNation.org

From: Karen Nickless
Sent: Monday, May 19, 2014 10:45 AM
To: Jessica Pumphrey; Cody, Sarah (RER)

Cc: Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Jessica, Kathleen and Sarah,

We don't have the technology to send this in color, but at least you'll have the info. I think you should think about a reprint to have some available when the 11 Most publicity kicks in. You could probably get Preservation Fund funding for it, but the timing is off, since June 1 is the deadline. You might think about Preservation Fund for some other part of the project to free up money for the booklet if you decide to reprint.

OK, that's enough bossiness for now!

Karen

Karen Nickless, Ph.D. | Field Officer
P 843.722.8552 F 843.722.8652 Cell 843.754.5166

NATIONAL TRUST FOR HISTORIC PRESERVATION
Charleston Field Office
456 King Street Charleston SC 29403
www.PreservationNation.org

From: Jessica Pumphrey
Sent: Tuesday, May 13, 2014 3:26 PM
To: Cody, Sarah (RER)
Cc: Karen Nickless; Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Thanks, Sarah. Please send us between 5-10 images when you get a chance.

From: Cody, Sarah (RER) [mailto:scody@miamidade.gov]
Sent: Tuesday, May 13, 2014 3:13 PM
To: Jessica Pumphrey
Cc: Karen Nickless; Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

No problem. About how many photos are you looking for? (We have dozens, if not hundreds.) We don't have any wide shots of the island, aside from the attached historic period aerial image, which dates to 1959.

Sarah
Historic Preservation Planner
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(305) 375-4958 (office)
(305) 375-4438 (direct)
"Delivering Excellence Every Day"

From: Jessica Pumphrey [mailto:JPumphrey@savingplaces.org]
Sent: Tuesday, May 13, 2014 3:03 PM
To: Cody, Sarah (RER)
Cc: Karen Nickless; Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Sounds great. If you could send those over when you get a chance that would be wonderful!
Do you have any wide shots of the island?

Best,

Jessica

Jessica Pumphrey | **ASSOCIATE MANAGER, PUBLIC AFFAIRS**
P 202.588.6358 F 202.588.6299

NATIONAL TRUST FOR HISTORIC PRESERVATION
The Watergate Office Building
2600 Virginia Avenue NW Suite 1000 Washington, DC 20037
www.PreservationNation.org

From: Cody, Sarah (RER) [mailto:scody@miamidade.gov]
Sent: Tuesday, May 13, 2014 3:00 PM
To: Jessica Pumphrey
Cc: Karen Nickless; Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Hi Jessica,
We do not have any video, but we do have a lot of high resolution images of various Modernist buildings all over the island.

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)
"Delivering Excellence Every Day"

From: Jessica Pumphrey [mailto:JPumphrey@savingplaces.org]
Sent: Tuesday, May 13, 2014 2:50 PM
To: Cody, Sarah (RER)
Cc: Karen Nickless; Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Hi Sarah,

We will discuss more details next week regarding the announcement however, I did want to touch base and inquire about photography/video footage of the islands. The National Trust will be producing a short video that will display all of our 2014 11 Most sites. This video link will be featured on our Trust channels and distributed along with the national press release. I wanted to see if you have any high resolution images we could use and/or Video B-roll of the Bay Harbor Islands. Below are the specifics for video b-roll.

We would like to compile all images by **COB Wednesday, May 21**. Please let me know if you have any questions.

Best,

Jessica Pumphrey

Photos/Video Specs:

1) Video should have been recorded in the past 3 years.
2) If possible, the video should contain 10-12 external and 5 internal shots of the site, a combination of static shots and slow pulls/pans is fine.
3) Video should be digitized and can be submitted to: 11Most@savingplaces.org or jpumphrey@savingplaces.org
4) If there is no video available on site, does our 11 Most site contact have a third party source (news/other) whom we could reach out to for video?
5) DEADLINE: We will need this video submitted to us **by COB on Wednesday, May 21.**

From: Cody, Sarah (RER) [mailto:scody@miamidade.gov]
Sent: Tuesday, May 13, 2014 9:07 AM
To: Jessica Pumphrey
Cc: Karen Nickless; Kauffman, Kathleen (RER)
Subject: RE: Confidential: Bay Harbor Islands...11 Most Endangered List

Hi Jessica,
This is exciting news! Bay Harbor Islands will really benefit from being on this year's list.

I would like the County Preservation Chief, Kathleen Kauffman to be on the call. She is leaving tomorrow for the Florida Trust's annual conference, so next week would work best. Anytime **except** Tuesday afternoon, and all day Wednesday.

We look forward to talking with you.

Thanks,

Sarah
Historic Preservation Planner
Miami-Dade County Office of Historic Preservation
(305) 375-4958 (office)
(305) 375-4438 (direct)
"Delivering Excellence Every Day"

From: Jessica Pumphrey [mailto:JPumphrey@savingplaces.org]
Sent: Monday, May 12, 2014 4:20 PM
To: Cody, Sarah (RER)
Cc: Karen Nickless
Subject: Confidential: Bay Harbor Islands...11 Most Endangered List
Importance: High

Hello Susan Cody,

On behalf of the National Trust for Historic Preservation, I wanted to officially let you know that Bay Harbor Islands has been selected for the 2014 list of America's 11 Most Endangered Historic Places. Congratulations! We are all very excited about this listing.

First, I need to underscore that this must be kept **confidential** until the public announcement is made on June 24th.

I would like to schedule a call at your earliest convenience that will include Karen Nickless from our Eastern Field office, and anyone you would like to invite to be on the call. This call is to go over some initial information about media materials, planning for the announcement on June 24th, and other housekeeping details. Please let me know some times that would work for you and we'll set up a conference call.

Look forward to working with you on this.

Thank you,

Jessica Pumphrey

Jessica Pumphrey | **ASSOCIATE MANAGER, PUBLIC AFFAIRS**
P 202.588.6358 F 202.588.6299

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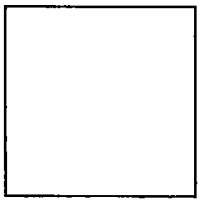
2600 Virginia Avenue NW Suite 1000 Washington, DC 20037
www.PreservationNation.org



Kauffman, Kathleen (RER)

From: Teri D'amico - D'amico Design Associates <teri@dadausa.com>
Sent: Thursday, April 24, 2014 1:23 PM
To: Arthur Marcus
Cc: Daniel Ciraldo; Christina LaBuzetta; Kauffman, Kathleen (RER); thisisrr@gmail.com; dontonton@gmail.com; Clotilde Luce; john oconnor; rh@robinhill.net; bob_powers@bellsouth.net; Bob Smith; Raelene Mercer; ninak77@msn.com
Subject: 1135 103rd Street- BHI demolition alert

Yes, this Mckirahan building has been sold and they are going to knock it down. So if you need photos take them now, we need some good shots. I will keep everyone posted on when they get a demo permit, we really should demonstrate I front of it, let everyone know that BHI doesn't respect what they have and we are losing significant architectural gems.

Can we make this building the Martyr of BHI.
There is a 50% chance that my building the MED could go with the historic designation.

Teri

From: Arthur Marcus [mailto:marcus_a@bellsouth.net]
Sent: Thursday, April 24, 2014 10:06 AM
To: Teri D'amico - D'amico Design Associates
Cc: Daniel Ciraldo
Subject: 1135 103rd Street

Teri..
Have heard through the grapevine that this wonderful MiMo building - the Bay Harbor Continental - is currently under contract and is to be sold and demolished.
Do you know if this true?
Arthur

ARTHUR MARCUS ARCHITECT
1450 LINCOLN ROAD #806
MIAMI BEACH, FLORIDA 33139
www.arthurmarcus.com
tele: 305.674.8945
cell: 305.467.6141

BAY HARBOR CONTINENTAL

Kauffman, Kathleen (RER)

From: mitch scott <sherbrooke2001@hotmail.com>
Sent: Tuesday, February 17, 2015 12:08 PM
To: Kauffman, Kathleen (RER)
Cc: Cody, Sarah (RER)
Subject: Bay Harbor Islands

Dear Kathleen:

I hope all is well! For tomorrow's meeting, please bring any previous designation reports staff may have prepared for Bay Harbor Islands.

I'm looking forward to an exciting meeting.

Mitch Novick

719.103 Definitions.—As used in this chapter:
(1) "Assessment" means a share of the funds required for the payment of common expenses, which from time to time is assessed against the unit owner.
(2) "Association" means the corporation for profit or not for profit that owns the record interest in the cooperative property or a leasehold of the property of a cooperative and that is responsible for the operation of the cooperative.
(3) "Board of administration" means the board of directors or other representative body responsible for administration of the association.
(4) "Buyer" means a person who purchases a cooperative. The term "purchaser" may be used interchangeably with the term "buyer."
(5) "Bylaws" means the bylaws of the association existing from time to time.
(6) "Committee" means a group of board members, unit owners, or board members and unit owners appointed by the board or a member of the board to make recommendations to the board regarding the association budget or take action on behalf of the board.
(7) "Common areas" means the portions of the cooperative property not included in the units.
(8) "Common areas" includes within its meaning the following:
(a) The cooperative property which is not included within the units.
(b) Easements through units for conduits, ducts, plumbing, wiring, and other facilities for the furnishing of utility services to units and the common areas.
(c) An easement of support in every portion of a unit which contributes to the support of a building.
(d) The property and installations required for the furnishing of utilities and other services to more than one unit or to the common areas.
(e) Any other part of the cooperative property designated in the cooperative documents as common areas.
(9) "Common expenses" means all expenses and assessments properly incurred by the association for the cooperative.
(10) "Common surplus" means the excess of all receipts of the association—including, but not limited to, assessments, rents, profits, and revenues on account of the common areas—over the amount of common expenses.
(11) "Conspicuous type" means type in capital letters no smaller than the largest type on the page on which it appears.
(12) "Cooperative" means that form of ownership of real property wherein legal title is vested in a corporation or other entity and the beneficial use is evidenced by an ownership interest in the association and a lease or other muniment of title or possession granted by the association as the owner of all the cooperative property.
(13) "Cooperative documents" means:
(a) The documents that create a cooperative, including, but not limited to, articles of incorporation of the association, bylaws, and the ground lease or other underlying lease, if any.
(b) The document evidencing a unit owner's membership or share in the association.
(c) The document recognizing a unit owner's title or right of possession to his or her unit.

(14) "Cooperative parcel" means the shares or other evidence of ownership in a cooperative representing an undivided share in the assets of the association, together with the lease or other muniment of title or possession.
(15) "Cooperative property" means the lands, leaseholds, and personal property owned by a cooperative association.
(16) "Developer" means a person who creates a cooperative or who offers cooperative parcels for sale or lease in the ordinary course of business, but does not include the owner or lessee of a unit who has acquired or leased the unit for his or her own occupancy, nor does it include a condominium association which creates a cooperative by conversion of an existing residential condominium after control of the association has been transferred to the unit owners if, following the conversion, the unit owners will be the same persons.
(17) "Division" means the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation.
(18) "Equity facilities club" means a club comprised of recreational facilities in which proprietary membership interests are sold to individuals, which membership interests entitle the individuals to use certain physical facilities owned by the equity club. Such physical facilities do not include a residential unit or accommodation. For purposes of this definition, the term "accommodation" shall include, but is not limited to, any apartment, residential cooperative unit, residential condominium unit, cabin, lodge, hotel or motel room, or other accommodation designed for overnight occupancy for one or more individuals.
(19) "Limited common areas" means those common areas which are reserved for the use of a certain cooperative unit or units to the exclusion of other units, as specified in the cooperative documents.
(20) "Operation" or "operation of the cooperative" includes the administration and management of the cooperative property.
(21) "Rental agreement" means any written agreement, or oral agreement if for less duration than 1 year, providing for use and occupancy of premises.
(22) "Residential cooperative" means a cooperative consisting of cooperative units, any of which are intended for use as a private residence. A cooperative is not a residential cooperative if the use of the units is intended as primarily commercial or industrial and not more than three units are intended to be used for private residence, domicile, or homestead, or if the units are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the cooperative. If a cooperative is a residential cooperative under this definition, but has units intended to be commercial or industrial, then the cooperative is a residential cooperative with respect to those units intended for use as a private residence, domicile, or homestead, but not a residential cooperative with respect to those units intended for use commercially or industrially. With respect to a timeshare cooperative, the timeshare instrument as defined in s. 721.05 shall govern the intended use of each unit in the cooperative.
(23) "Special assessment" means any assessment levied against unit owners other than the assessment required by a budget adopted annually.
(24) "Timeshare estate" means any interest in a unit under which the exclusive right of use, possession, or occupancy of the unit circulates among the various purchasers of a timeshare plan pursuant to chapter 721 on a recurring basis for a period of time.

(25) "Unit" means a part of the cooperative property which is subject to exclusive use and possession. A unit may be improvements, land, or land and improvements together, as specified in the cooperative documents.
(26) "Unit owner" or "owner of a unit" means the person holding a share in the cooperative association and a lease or other muniment of title or possession of a unit that is granted by the association as the owner of the cooperative property.
(27) "Voting certificate" means a document which designates one of the record title owners, or the corporate, partnership, or entity representative who is authorized to vote on behalf of a cooperative unit that is owned by more than one owner or by any entity.
(28) "Voting interests" means the voting rights distributed to the association members as provided for in the articles of incorporation.
History.—s. 2, ch. 76-222; s. 1, ch. 77-174; s. 8, ch. 80-3; s. 10, ch. 86-175; s. 17, ch. 92-49; s. 874, ch. 97-102; s. 8, ch. 98-322; s. 5, ch. 99-382; s. 1, ch. 2000-302; s. 6, ch. 2007-173; s. 55, ch. 2008-240.
719.1035 Creation of cooperatives.—
(1) The date when cooperative existence shall commence is upon commencement of corporate existence of the cooperative association as provided in s. 607.0203. The cooperative documents must be recorded in the county in which the cooperative is located before property may be conveyed or transferred to the cooperative. All persons who have any record interest in any mortgage encumbering the interest in the land being submitted to cooperative ownership must either join in the execution of the cooperative documents or execute, with the requirements for deed, and record, a consent to the cooperative documents or an agreement subordinating their mortgage interest to the cooperative documents. Upon creation of a cooperative, the developer or association shall file the recording information with the division within 30 working days on a form prescribed by the division.
(2) All provisions of the cooperative documents are enforceable equitable servitudes, run with the land, and are effective until the cooperative is terminated.
History.—s. 11, ch. 86-175; s. 188, ch. 90-179; s. 41, ch. 95-274; s. 9, ch. 98-322; s. 6, ch. 99-382.

719.105 Cooperative parcels; appurtenances; possession and enjoyment.—
(1) Each cooperative parcel has, as appurtenances thereto:
(a) Evidence of membership, ownership of shares, or other interest in the association with the full voting rights appertaining thereto. Such evidence must include a legal description of each dwelling unit and must be recorded in the office of the clerk of the circuit court as required by s. 201.02(3).
(b) An undivided share in the assets of the association.
(c) The exclusive right to use that portion of the common areas as may be provided by the cooperative documents.
(d) An undivided share in the common surplus attributable to the unit.
(e) Any other appurtenances provided for in the cooperative documents.
(2) Each unit owner is entitled to the exclusive possession of his or her unit. The unit owner is entitled to use the common areas in accordance with the purposes for which they are intended, but no use may hinder or encroach upon the rights of other unit owners.
(3) When a unit is leased, the tenant has all use rights in the association property available for use generally by the unit owner and the unit owner does not have such rights except as a guest. This subsection does not interfere with the access rights of the unit owner as a landlord pursuant to chapter 83. The association may adopt rules to prohibit dual usage by a unit owner and a tenant of cooperative property.
History.—s. 2, ch. 76-222; s. 13, ch. 86-175; s. 11, ch. 92-32; s. 19, ch. 92-49; s. 876, ch. 97-102.
719.1055 Amendment of cooperative documents; alteration and acquisition of property.—
(1) Unless otherwise provided in the original cooperative documents, no amendment thereto may change the configuration or size of any cooperative unit in any material fashion, materially alter or modify the appurtenances of the unit, or change the proportion or percentage by which the owner of the parcel shares the common expenses and owns the common surplus, unless the record owner of the unit and all record owners of liens on it join in the execution of the amendment and unless the record owners of all other units approve the amendment. Cooperative documents in cooperatives created after July 1, 1994, may not require less than a majority of total voting interests for amendments under this section, unless required by any governmental entity.
(2) Unless a lower number is provided in the cooperative documents or unless such action is expressly prohibited by the articles of incorporation or bylaws of the cooperative, the acquisition of real property by the association, and material alterations or substantial additions to such property by the association shall not be deemed to constitute a material alteration or modification of the appurtenances to the unit if such action is approved by two-thirds of the total voting interests of the cooperative.
(3)(a) Unless other procedures are provided in the cooperative documents or such action is expressly prohibited by the articles of incorporation or bylaws of the cooperative, the association may materially alter, convert, lease, or modify the common areas of the mobile home cooperative if the action is approved by two-thirds of the total voting interests of the cooperative.
(b) The association may change the configuration or size of a unit only if the action is approved by the affected unit owners and by two-thirds of the total voting interests of the cooperative.

(4)(a) If the cooperative documents fail to provide a method of amendment, the documents may be amended as to all matters except those described in subsection (1) if the amendment is approved by the owners of not less than two-thirds of the units.
(b) No provision of the cooperative documents shall be revised or amended by reference to its title or number only. Proposals to amend existing provisions of the cooperative documents shall contain the full text of the provision to be amended, new words shall be inserted in the text and underlined, and words to be deleted shall be lined through with hyphens. However, if the proposed change is so extensive that this procedure would hinder, rather than assist, the understanding of the proposed amendment, it is not necessary to use underlining and hyphens as indicators of words added or deleted, but instead, a notation must be inserted immediately preceding the proposed amendment in substantially the following language: "Substantial rewording of document. See provision for present text."
(c) Nonmaterial errors or omissions in the amendment process will not invalidate an otherwise properly promulgated amendment.
(5) The bylaws must include a provision whereby a certificate of compliance from a licensed electrical contractor or electrician may be accepted by the association's board as evidence of compliance of the cooperative units with the applicable fire and life safety code.
(a)1. Notwithstanding chapter 633 or any other code, statute, ordinance, administrative rule, or regulation, or any interpretation of the foregoing, a cooperative or unit owner is not obligated to retrofit the common elements or units of a residential cooperative with a fire sprinkler system in a building that has been certified for occupancy by the applicable governmental entity if the unit owners have voted to forego such retrofitting by the affirmative vote of a majority of all voting interests in the affected cooperative. The local authority having jurisdiction may not require completion of retrofitting with a fire sprinkler system before the end of 2019. By December 31, 2016, a cooperative that is not in compliance with the requirements for a fire sprinkler system and has not voted to forego retrofitting of such a system must initiate an application for a building permit for the required installation with the local government having jurisdiction demonstrating that the cooperative will become compliant by December 31, 2019.
2. A vote to forego retrofitting may be obtained by limited proxy or by a ballot personally cast at a duly called membership meeting, or by execution of a written consent by the member, and is effective upon recording a certificate attesting to such vote in the public records of the county where the cooperative is located. The cooperative shall mail or hand deliver to each unit owner written notice at least 14 days before the membership meeting in which the vote to forego retrofitting of the required fire sprinkler system is to take place. Within 30 days after the cooperative's opt-out vote, notice of the results of the opt-out vote must be mailed or hand delivered to all unit owners. Evidence of compliance with this notice requirement must be made by affidavit executed by the person providing the notice and filed among the official records of the cooperative. After notice is provided to each owner, a copy must be provided by the current owner to a new owner before closing and by a unit owner to a renter before signing a lease.
(b) If there has been a previous vote to forego retrofitting, a vote to require retrofitting may be obtained at a special meeting of the unit owners called by a petition of least 10 percent of the voting interests. Such vote may only be called once every 3 years. Notice must be provided as required for any regularly called meeting of the unit owners, and the

notice must state the purpose of the meeting. Electronic transmission may not be used to provide notice of a meeting called in whole or in part for this purpose.

(c) As part of the information collected annually from cooperatives, the division shall require associations to report the membership vote and recording of a certificate under this subsection and, if retrofitting has been undertaken, the per-unit cost of such work. The division shall annually report to the Division of State Fire Marshal of the Department of Financial Services the number of cooperatives that have elected to forego retrofitting.

(6) Notwithstanding the provisions of chapter 633 or of any other code, statute, ordinance, administrative rule, or regulation, or any interpretation thereof, a cooperative or unit owner is not obligated to retrofit the common elements or units of a residential cooperative that meets the definition of "housing for older persons" in s. 760.29(4)(b)3. to comply with requirements relating to handrails and guardrails in a building that has been certified for occupancy by the applicable governmental entity, if the unit owners have voted to forego such retrofitting by the affirmative vote of two-thirds of all voting interests in the affected cooperative. However, a cooperative may not forego the retrofitting in common areas in a high-rise building. For purposes of this subsection, the term "high-rise building" means a building that is greater than 75 feet in height where the building height is measured from the lowest level of fire department access to the floor of the highest occupiable story. For purposes of this subsection, the term "common areas" means stairwells and exposed, outdoor walkways and corridors. In no event shall the local authority having jurisdiction require completion of retrofitting of common areas with handrails and guardrails before the end of 2014.

(a) A vote to forego retrofitting may not be obtained by general proxy or limited proxy, but shall be obtained by a vote personally cast at a duly called membership meeting, or by execution of a written consent by the member, and shall be effective upon the recording of a certificate attesting to such vote in the public records of the county where the cooperative is located. The association shall provide each unit owner written notice of the vote to forego retrofitting of the required handrails or guardrails, or both, in at least 16-point bold type, by certified mail, within 20 days after the association's vote. After such notice is provided to each owner, a copy of such notice shall be provided by the current owner to a new owner prior to closing and shall be provided by a unit owner to a renter prior to signing a lease.

(b) As part of the information collected annually from cooperatives, the division shall require associations to report the membership vote and recording of a certificate under this subsection and, if retrofitting has been undertaken, the per-unit cost of such work. The division shall annually report to the Division of State Fire Marshal of the Department of Financial Services the number of cooperatives that have elected to forego retrofitting.

(7) The Legislature finds that the procurement of mortgagee consent to amendments that do not affect the rights or interests of mortgagees is an unreasonable and substantial logistical and financial burden on the unit owners and that there is a compelling state interest in enabling the members of an association to approve amendments to the association's cooperative documents through legal means. Accordingly, and notwithstanding any provision of this subsection to the contrary:

(a) As to any mortgage recorded on or after July 1, 2013, any provision in the association's cooperative documents that requires the consent or joinder of some or all mortgagees of units or any other portion of the association's common areas to amend the association's

cooperative documents or for any other matter is enforceable only as to amendments to the association's cooperative documents that adversely affect the priority of the mortgagee's lien or the mortgagee's rights to foreclose its lien or that otherwise materially affect the rights and interests of the mortgagees.

(b) As to mortgages recorded before July 1, 2013, any existing provisions in the association's cooperative documents requiring mortgagee consent are enforceable.

(c) In securing consent or joinder, the association is entitled to rely upon the public records to identify the holders of outstanding mortgages. The association may use the address provided in the original recorded mortgage document, unless there is a different address for the holder of the mortgage in a recorded assignment or modification of the mortgage, which recorded assignment or modification must reference the official records book and page on which the original mortgage was recorded. Once the association has identified the recorded mortgages of record, the association shall, in writing, request of each unit owner whose unit is encumbered by a mortgage of record any information that the owner has in his or her possession regarding the name and address of the person to whom mortgage payments are currently being made. Notice shall be sent to such person if the address provided in the original recorded mortgage document is different from the name and address of the mortgagee or assignee of the mortgage as shown by the public record. The association is deemed to have complied with this requirement by making the written request of the unit owners required under this paragraph. Any notices required to be sent to the mortgagees under this paragraph shall be sent to all available addresses provided to the association.

(d) Any notice to the mortgagees required under paragraph (c) may be sent by a method that establishes proof of delivery, and any mortgagee who fails to respond within 60 days after the date of mailing is deemed to have consented to the amendment.

(e) For those amendments requiring mortgagee consent on or after July 1, 2013, in the event mortgagee consent is provided other than by properly recorded joinder, such consent shall be evidenced by affidavit of the association recorded in the public records of the county in which the declaration is recorded.

(f) Any amendment adopted without the required consent of a mortgagee is voidable only by a mortgagee who was entitled to notice and an opportunity to consent. An action to void an amendment is subject to the statute of limitations beginning 5 years after the date of discovery as to the amendments described in paragraph (a) and 5 years after the date of recordation of the certificate of amendment for all other amendments. This paragraph applies to all mortgages, regardless of the date of recordation of the mortgage.

History.—s. 5, ch. 88-148; s. 16, ch. 94-350; s. 6, ch. 96-396; s. 8, ch. 99-382; s. 6, ch. 2003-14; s. 2, ch. 2004-80; s. 9, ch. 2004-345; s. 5, ch. 2004-353; s. 20, ch. 2010-174; s. 11, ch. 2013-188.

Akerman

Neisen O. Kasdin
Steven J. Wernick

Akerman LLP
One Southeast Third Avenue
Suite 2500
Miami, FL 33131-1714
Tel: 305.374.5600
Fax: 305.374.5095

March 31, 2015

VIA E-MAIL AND HAND DELIVERY
Miami-Dade County Historic Preservation Board
Miami-Dade County
111 NW 1st Street
Miami, Florida 33128
Attn: Kathleen Kauffman, Historic Preservation Officer

Re: Bay Harbor Continental, 1135 103rd Street, Bay Harbor Islands, FL
Affidavit re: Economic Hardship, pursuant to Chapter 16A-12, Miami-Dade County Code of Ordinances

Dear Ms. Kauffman:

Enclosed herein is an original signed Affidavit by Robert Kolbert, as President on behalf of Bay Harbor Continental, Inc., a Delaware corporation, the owner of the property located at 1135 103rd Street, Bay Harbor Islands, Florida (commonly referred to as the Bay Harbor Continental).

In accordance with the letter issued by the Historic Preservation Office dated March 23, 2015, this Affidavit is submitted fifteen (15) days in advance of the public hearing scheduled for April 15, 2015 in front of the Miami-Dade County Historic Preservation Board, at which time the Board will consider the involuntary historic designation of the existing building.

The enclosed Affidavit addresses the economic hardship, pursuant to Chapter 16A-12 of the Miami-Dade County Code of Ordinances, created by the proposed historic designation of the building. Thank you for your attention to this matter.

Sincerely,

Steven J. Wernick

Enclosures
akerman.com

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared **Robert Kolbert,** (the "Affiant"), who being by me first duly sworn, did depose and say:

A. As of the date of this Affidavit, I am the duly elected President of **Bay Harbor Continental, Inc.,** a Delaware corporation ("Owner").

B. The Owner is a corporation and is in good standing with the State of Florida.

C. The Owner holds title to the property located at 1135 103rd Street, Bay Harbor Islands, Florida 33154, as legally described below (the "Property"), in the cooperative form of ownership pursuant to Chapter 719, Florida Statutes, on which exists a multifamily residential building with 35 units, each of which comes with shares in the cooperative association and a lease from the association as the owner of the Property.

Tract F of BAY HARBOR ISLAND, according to the Plat thereof, recorded in Plat Book 46, Page 5, of the Public Records of Miami-Dade County, Florida.

LESS AND EXCEPT, that portion conveyed to the Town of Bay Harbor Islands, a Florida municipality by that instrument recorded in Official Records Book 427, Page 281, of the Public Records of Miami-Dade County, Florida.

D. Pursuant to Chapter 719, Florida Statutes, and under the governing documents of the Owner, the President has the authority to appear on behalf of the Owner. See Articles of Incorporation attached as **Exhibit 1.**

E. The Historic Preservation Board (the "Board"), at its March 18, 2015 meeting, took formal action to accept a designation report for the Property, and has since scheduled a public hearing to take place on April 15, 2015 to consider the designation of the Property pursuant to Chapter 16A of the Miami-Dade County Code of Ordinances ("County Code").

F. Pursuant to Chapter 16A-12 of the Miami-Dade County Code of Ordinances, the Affiant hereby submits in a timely manner to this Board for its consideration, this Affidavit detailing the economic hardship imposed upon the Owner should the Board adopt a resolution or otherwise continue forward with the historic designation of the building or any improvements on the Property.

(i) The amount paid for the property, the date of purchase and the party from whom purchased;

The amount paid for the Property in 1958, by the original incorporator, was $737,500.00. See Exhibit 1. Since 1958, individual units have been purchased and sold for varying amounts.

(ii) The assessed value of the land and improvements thereon according to the two (2) most recent assessments;

*Based on the information provided by the Miami-Dade County Property Appraiser, as demonstrated in **Exhibit 2**, the total assessed value of the land and improvements in 2013 was $3,520,069; the total assessed value in 2014 was $3,842,084.*

(iii) Real estate taxes for the previous two (2) years;

Based on the information provided by the Miami-Dade County Property Appraiser, as demonstrated in Exhibit 2, the total real estate taxes paid in 2013 were $58,065.64; the total real estate taxes paid in 2014 were $67,319.26.

(iv) Annual debt service, if any, for the previous two (2) years;

The Owner obtained a loan on the existing building for $400,000 to repair cracks in stucco and balconies. The balance on the existing loan is $174,515, with 4.5 years remaining.

(v) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with his purchase, financing or ownership of the property;

The Owner has not obtained an appraisal of the Property within the previous two (2) years.

(vi) Any listing of the property for sale or rent, price asked and offers received, if any;

There is a contract for purchase and sale between Owner and P3 Investments I, LLC ("P3"), effective March 27, 2014 in a total amount of $16,500,000.00. The shareholders of the Owner approved this sale by an overwhelming majority (approximately 86%).

(vii) Any consideration by the owner as to profitable adaptive uses for the property;

Based on the Town of Bay Harbor Islands Code of Ordinances and land development regulations for the RM-3 District, applicable to the Property, the Property can only be used for residential uses; no hotel, office, commercial or other non-residential uses are permitted on the Property, and therefore there are no profitable adaptive reuses for the Property.

(viii) All cost estimates or reports relating to the demolition of the property obtained within the previous two (2) years;

Based on a proposal issued by Florida Demolition, Inc., the cost estimate for demolition of the existing improvements on the Property is approximately $151,000.00. See attached ***Exhibit 3.*** *On February 18, 2015, in reliance on the withdrawal of the previous historic designation report by the Board in 2011, the pending sale, and no item or proposal pending on the Board's agenda for consideration of historic preservation, the Town of Bay Harbor Islands issued to Florida Demolition, Inc. a Permit No. BP2014-359 for the demolition of the existing structure (the "Demolition Permit"). See a copy of the Demolition Permit attached* ***Exhibit 4.***

(ix) All cost estimates or reports relating to the rehabilitation or restoration of the property obtained within the previous two (2) years;

Based on a report prepared by ERF Construction Group, Inc., dated March 30, 2015 ("ERF Report"), the cost estimate for rehabilitating and restoring the existing building on the Property, including individual units and common areas is upwards of $200,000 per unit. A copy of the ERF Report is attached as ***Exhibit 5.***

(x) All reports relating to the engineering, architectural, or construction feasibility of rehabilitating or restoring the property obtained within the previous two (2) years; and

Based on the ERF Report, rehabilitating or restoring the Property would be practically infeasible. The building requires replacement of the elevator systems, ADA accessibility and replacement of MEP systems. The entire finished floor of the existing building would need to be raised above base flood elevation to comply with current Florida Building Code and Town of Bay Harbor Islands requirements.

(xi) All reports relating to the economic feasibility of restoring or rehabilitating the property obtained within the previous two (2) years, including market studies.

Owner has no reserves in place for correcting significant deficiencies, and many of the shareholders are not in a financial position to take on additional assessments. Based on lack of reserves, knowledge that the existing building has significant structural and operational deficiencies, and the estimated cost to correct the deficiencies of upwards of $200,000 per unit, and costs to shareholders for temporary relocation during restoration, it is not economically feasible for Owner to restore or rehabilitate the Property.

See the attached report from RC3 World, Inc., dated March 31,2015 ("Market Analysis"), providing analysis on the economic feasibility of restoring or rehabilitating the Property. A copy of the Market Analysis is attached as ***Exhibit 6.***

G. Individual shareholders have presented additional testimony to the Board in furtherance of personal economic hardship suffered by respective individuals, many of whom are elderly on fixed incomes, and cannot bear additional assessments to pay for the significant costs involved in restoration of the existing building. See personal letters attached as **Exhibit 7**.

H. Based on the foregoing, the Owner respectively submits this Affidavit to the Board in claiming undue economic hardship that would be caused to the Owner by the historic designation of the existing building on the Property, and millions of dollars in damages should the building be designated.

[Signatures on following page]

FURTHER AFFIANT SAYETH NAUGHT

Affiant:

Robert Kolbert

STATE OF Florida
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 30 day of March, 2015 by Robert Kolbert, as President of Bay Harbor Continental, Inc., a Delaware corporation, who is personally known to me or who has produced _____ as identification.

Notary Public
Print Name: Blislainey Sainz
My Commission Expires: 12-21-15

BLISLAINEY M. SAINZ
MY COMMISSION # EE 155210
EXPIRES: December 21, 2015
Bonded Thru Notary Public Underwriters

EXHIBIT 1

CERTIFICATE OF INCORPORATION

-OF-

BAY HARBOR CONTINENTAL, INC

FIRST: The name of the corporation is:

BAY HARBOR CONTINENTAL, INC.

SECOND: Its principal office in the State of Delaware is located at 900 Market Street, in the City of Wilmington, County of New Castle. The name and address of its resident agent is the Corporation Service Company, 900 Market Street, Wilmington, Delaware.

THIRD: The nature of the business, or objects or purposes to be transacted, promoted or carried on are:

a. To purchase, operate and manage a cooperative apartment housing project on a non-profit basis and in the interest and for the housing of its members and other lawful occupants.

b. In connection with project, the corporation shall itself, by contract, or otherwise, provide such community facilities, services and benefits as may be necessary or convenient for the welfare of its members and the usefulness of the project.

c. In furtherance of the foregoing purposes, the corporation shall have power to purchase, lease or otherwise acquire land, both improved and unimproved, to build, rebuild, repair, improve and manage any such property, and to do any and all other things necessary or convenient for the fulfillment of the purposes of this corporation.

d. To enter into, make, perform and execute contracts, deeds, leases and agreements of every kind and description with any person, firm, association, corporation, municipality, county, state, body politic or government or colony or dependency thereof.

e. To borrow or raise monies for any of the purposes of the corporation and, from time to time, without limit as to amount, to draw, make, accept, endorse, execute and issue promissory notes, drafts, bills of exchange, warrants, bonds, debentures and other negotiable or non-negotiable instruments and evidences of indebtedness, and to secure the payment of any thereof and of the interest thereon by mortgage or deed of trust upon or pledge, conveyance or assignment in trust of the whole or any part of the property of the corporation, whether at that time owned or thereafter acquired, and to sell, pledge or otherwise dispose of such

bonds or other obligations of the corporation for its corporate purposes.

f. To carry out all or any part of the aforesaid objects and purposes, and to conduct its business in all or any of its branches, in the State of Delaware and in the City of Bay Harbor Islands, Florida.

g. The foregoing objects and purposes shall, except when otherwise specifically expressed, be in no way limited or restricted by reference to, or inference from, the terms of any other clause of this or any other article of this Certificate of Incorporation or of any amendments thereto, and shall each be regarded as independent and construed as powers as well as objects and purposes.

h. The corporation shall be ~~authorized to exercise~~ and enjoy all of the powers, rights and privileges granted to, or conferred upon, corporations of a similar character by the General Corporation Law of the State of Delaware, or by the laws of any other jurisdiction wherein the corporation may do business, now or hereafter in force, and to do any and all of the things hereinbefore set forth to the same extent as natural persons might or could do.

FOURTH: a. This corporation shall be organized without capital stock.

b. Membership in the corporation shall be limited to owners of Co-Operative Apartment Certificates of Ownership to be issued by the corporation in a standard form not inconsistent with the provisions of this charter and to be adopted by the Board of Directors at its first meeting. A separate Certificate of Ownership shall be issued for each apartment unit, shall constitute a single membership, and shall entitle the holder or holders thereof to number of votes in the management of the affairs of the corporation as recited in the Certificate of Ownership.

c. Membership may be either "resident" or "equity". Any natural person owning a Certificate of Ownership under which the owner is currently entitled to occupancy rights shall be deemed a resident member and resident membership shall carry with it full voting rights. Any person, firm or corporation owning a Certificate of Ownership without occupancy rights having been granted by the Board of Directors shall be deemed an equity member and equity membership shall carry with it the right to vote with resident members on matters pertaining to any amendment to the Certificate of

Incorporation, the sale or mortgage of corporate property, or the dissolution of the corporation. No other voting rights are accorded equity members.

d. Transfer of membership shall be upon such terms and conditions as shall be contained in the By-Laws, not inconsistent with the terms of the Co-operative Apartment Certificates of Ownership.

e. The standard form of Co-operative Apartment Certificates of Ownership, hereinbefore referred to, shall not be changed after its adoption by the Board of Directors except with respect to occupancy provisions, which may be amended in such manner as may be provided in the By-Laws.

f. The capital value of the corporation shall be the sum of Seven Hundred Thirty Seven Thousand Five Hundred ($737,500.00) Dollars and shall be allocated to the Co-operative Apartment Certificates of Ownership representing the respective apartment units as follows:

Apartment No.	Capital Value	Apartment No.	Capital Value
A1	$22,900.00	C3	$18,400.00
A2	$23,900.	C4	$18,900
A3	$24,400	C5	$20,400
A4	$24,900	D1	$18,900
A5	$26,400	D2	$19,900
B1	$16,900	D3	$20,400
B2	$17,900	D4	$20,900
B3	$18,400	D5	$22,400
B4	$18,900	E1	$16,900
B5	$20,400	E2	$17,900
C1	$16,900	E3	$18,400
C2	$17,900	E4	$18,900

Apartment No.	Capital Value	Apartment No.	Capital Value
E5	$20,400.00	F5	$21,400.00
F1	$17,900	G1	$25,900
F2	$18,900	G2	$26,900
F3	$19,400	G3	$27,400
F4	$19,900	G4	$27,900
		G5	$29,400

The amount so assigned to each apartment unit shall be deemed the assigned capital value of the Co-operative Apartment Certificates of Ownership covering such apartment unit, and said amount shall not thereafter be subject to change.

FIFTH: The names and places of residence of the incorporators are as follows:

Name	Address
B. J. FLOOD	1015 Kane Concourse Bay Harbor Islands, Miami Beach, Florida
ALBERT J. CURRIER	1015 Kane Concourse Bay Harbor Islands, Miami Beach, Florida
KATHRYN A. RAINEY	1015 Kane Concourse Bay Harbor Islands, Miami Beach, Florida

SIXTH: The corporation is to have perpetual existence.

SEVENTH: No member shall be personally liable for corporate debts to any extent whatsoever.

EIGHTH: a. The management of the affairs of the corporation shall be conducted by its Board of Directors in accordance with the provisions of its By-Laws. The first Board of Directors shall have the power and authority to make and adopt the original By-Laws of the corporation; in conformity

herewith, insofar as applicable thereafter the power and authority to make, alter or amend the By-Laws shall vest in the membership on such terms as shall be expressly stated in the By-Laws.

b. In furtherance and not in limitation of the powers conferred by statute, the Board of Directors is expressly authorized:

1. To create out of the funds of the corporation a reserve or reserves for any proper purpose.

2. To borrow monies for the purposes of the corporation to the extent permitted by the By-Laws, subject, however, to the limitation hereinafter expressed.

3. When and as authorized by the affirmative vote of three-fourths of the entire membership of the corporation at a meeting of the members duly called for that purpose, or when authorized by the written consent of three-fourths of the entire membership, to sell, lease or exchange or mortgage all of the property and assets of the corporation, including its good will and its corporate franchises, upon such terms and conditions and for such consideration as the Board of Directors shall deem expedient and for the best interest of

the corporation. For the purposes of this section each Certificate of Ownership shall constitute only one (1) vote.

4. By resolution or resolutions passed by a majority of the whole Board, to designate one or more committees, each committee to consist of two (2) or more of the directors and/or members of the corporation, which, to the extent provided in said resolution or resolutions or in the By-Laws of the corporation, shall have and may exercise the powers of the Board of Directors in the management of the business and affairs of the corporation, and may have power to authorize the seal of the corporation to be affixed to all papers which may require it provided the said resolution or resolutions shall so provide. Such committee or committees shall have such name or names as may be stated in the By-Laws of the corporation or as may be determined from time to time by resolutions adopted by the Board of Directors, or a majority of the members.

NINTH: The meetings of members may be held without the State of Delaware, if the By-Laws so provide. The books of the corporation may be kept (subject to any provisions contained in the statutes) outside of the State of Delaware at

such place or places as may be from time to time designated by the Board of Directors or in the By-Laws of the corporation.

Elections of directors need not be by ballot unless the By-Laws so provide.

TENTH: The corporation reserves the right to amend, alter, change or repeal any provisions contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon members herein are granted subject to this reservation, it being provided, however, that said reserved right to amend, alter, change or repeal may be exercised only with the approval of three-fourths of the entire membership obtained at a meeting called for such purposes, ~~and it being~~ further provided, however, that this Certificate of Incorporation may not be amended, altered or changed in any respect which shall adversely affect equity rights contained in the Co-operative Apartment Certificates of Ownership, except by unanimous approval of the entire membership obtained by written consent or at a meeting called for such purpose. For the purpose of this section each Certificate of Ownership shall constitute only one (1) vote.

ELEVENTH: Section 1. The name and post office address of the members of the first Board of Directors of this corporation, who shall hold office for the first year of existence of the corporation or until their successors are elected and have qualified, any provision to the contrary herein notwithstanding, are as follows:

Name	Address
B. J. FLOOD	1015 Kane Concourse Bay Harbor Islands, M.B. Florida
ALBERT J. CURRIER	1015 Kane Concourse Bay Harbor Islands, M.B. Florida
KATHRYN A. RAINEY	1015 Kane Concourse Bay Harbor Islands, M.B. Florida

Section 2. The names and post office addresses of the officers of this corporation who shall hold office for the first year of existence of the corporation or until their successors are elected or appointed and have qualified, any provision to the contrary herein notwithstanding, are as follows:

Name		Address
B. J. FLOOD	President	1015 Kane Concourse Bay Harbor Islands, Miami Beach, Fla.
ALBERT J. CURRIER	Secretary-Treasurer	1015 Kane Concourse Bay Harbor Islands, Miami Beach, Fla.
KATHRYN A. RAINEY	Vice President	1015 Kane Concourse Bay Harbor Islands, Miami Beach, Fla.

TWELFTH: The officers and directors other than those herein named to hold office for the first year of existence of the corporation, or until their successors are elected and have qualified, shall be members of the corporation during their term of office, any provision to the contrary herein notwithstanding.

THIRTEENTH: Should the monies, funds or contributions paid by a member or stockholder to the corporation as his share of the expenses of said corporation, actually exceed the liabilities and expenditures of the corporation in the fiscal year in which the contribution is made, then the corporation shall be liable to the member for the excess amount so paid or contributed, and the member shall receive credit for said over-payment on the amount chargeable or assessed against him during the next succeeding fiscal year.

WE, THE UNDERSIGNED, being each of the incorporators hereinbefore named for the purpose of forming a corporation in pursuance of the General Corporation Law of the State of Delaware, do make this certificate, hereby declaring and certifying that the facts herein stated are true, and accordingly have hereunto set our hands and seals this 6th day of January, A.D. 1958.

B. J. FLOOD (SEAL)
B. J. FLOOD, President

KATHRYN A. RAINEY (SEAL)
KATHRYN A. RAINEY, Vice President

ALBERT J. CURRIER (SEAL)
ALBERT J. CURRIER, Secretary-Treasurer

STATE OF FLORIDA)
: ss.
COUNTY OF DADE)

BE IT REMEMBERED, that on this 8th day of January, 1958, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared B. J. FLOOD, President and ALBERT J. CURRIER, Secretary of BAY HARBOR CONTINENTAL, INC., the corporation mentioned in the foregoing Certificate, known to me, and acknowledged the said Certificate to be their act and deed and the act and deed of the said corporation and that the seal thereto affixed was the seal of the said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove written.

EUGENE W. SULZBERGER
Notary Public, State of Florida at Large

My Commission expires February 9, 1961
Bonded by American Fire & Casualty Co.

EXHIBIT 2

ASSESSED VALUE AND TAXES PAID

UNIT #	ASSESSED VALUE 2014	ASSESSED VALUE 2013	TAXES PAID 2014	TAXES PAID 2013	NOTES
A-1	$93,428	$92,048	$1,081.14	$1,167.81	
A-2	$147,080	$133,670	$3,364.96	$2,792.36	
A-3	$147,037	$133,670	$3,364.96	$2,792.36	
A-4	$79,183	$78,013	$426.23	$444.92	
A-5	$85,138	$83,880	$808.84	$803.03	
B-1	$60,829	$59,931	$661.89	$661.93	
B-2	$112,959	$102,690	$2,585.09	$2,167.54	
B-3	$60,829	$59,931	$595.09	$598.30	
B-4	$112,959	$102,690	$2,692.80	$2,321.62	
B-5	$163,380	$113,100	$3,486.80	$2,387.28	
C-1	$112,959	102,690	$2,692.80	$2,167.54	
C-2	$60,829	$59,931	$296.31	$296.23	
C-3	$112,959	$102,690	$2,665.87	$2,145.20	
C-4	$112,959	$102,690	$2,692.80	$2,189.89	
C-5	$124,410	$113,100	$2,847.24	$2,362.67	
D-1	$53,530	$52,739	$240.45	$235.12	
D-2	$66,997	$66,007	$669.08	$671.70	
D-3	$58,957	$58,086	$287.87	$278.94	
D-4	$114,796	$113,100	$1,518..93	$1,509.61	
D-5	$135,597	$123,270	$3,232.48	$3117,68 - tax cert. issued 6/1/14 - $2,963.27	
E-1	$104,230	$102,690	$684.41	$2,145.20	
E-2	$100,247	$98,766	$629.76	$609.15	
E-3	$112,959	$102,690	$2,612.02	$2,145.20	
E-4	$77,831	$76,681	$428.98	$748.82	
E-5	$124,410	$113,100	$2,876.89	$2,387.28	
~~F-1~~	~~$53,530~~	~~$52,739~~	~~$539.23~~	~~$543.24~~	
F-2	$112,959	$102,690	$2,585.09	$2,145.20	
F-3	$124,410	$113,100	$2,847.24	$2,362.67	
F-4	$163,380	$113,100	$2,566.69	$2,411.89	
F-5	$73,016	$71,937	$389.61	$382.13	
G-1	158,103	$143,730	$3,267.51	$3,002.52	
G-2	$145,885	$143,730	$2,155.87	$2,149.46	
G-3	$158,103	$143,730	$3,769.03	$3,002.52	
G-4	$158,103	$143,730	$3,618.27	$3,002.52	
G-5	$158,103	$143,730	$3,655.96	$3,033.79	
TOTAL	$3,842,084	$3,520,069	$67,319.26	$58,065.64	

EXHIBIT 3

FLORIDA DEMOLITION, INC.

245 SE 1st Street, Suite#326
Miami, Florida 33131
Ph: 305-329-4174 Fax: 305-329-4175

9-2-2014

P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Dear Joel,

Please accept this letter from Robert Arena, as president of Florida Demolition Inc., 245 SE 1st Street, #326, Miami, Florida 33131 Tel: 305-329-4174, Fax: 305-329-4175, Cell: 305-333-1109.

We are a full service demolition company for 30 years in the Miami Florida area. Some of our clients are Related Group, Patrick Campbell, Fortune International, Ronald Choron, Link Construction, Guillermo Willie Fernandez amongst others. Our projects range from small interior demolition to a concrete plant industrial demo in Allentown, Pa., that was $3.9 million in 2011 We are currently not or have ever been in any litigation caused by any fault of our own, only the few times clients bankrupted before we were paid or during projects.

Thank you for the opportunity to bid your project and look forward to working with you soon.

Sincerely,

Robert Arena
President

Robert Arena

REAL ESTATE

BID SPECIFICATIONS / BID SUBMITTAL FORM
Project Location:

The undersigned DEMOLITION CONTRACTOR, having examined these documents, and having full knowledge of the condition under which the work described herein must be performed, hereby proposes that she/he will fulfill the obligations contain herein in accordance with all instructions, terms, conditions, and specifications set forth; and that she/he will furnish all required products/services and pay all incidental costs in strict conformity with these documents for the stated prices as payment in full.

Bid $ 141,000.00 Demo bldgs, pool and asphalt #10,000.00 allowance for disconnects + permits

Length of time for Completion: 60 days

Disposal Landfill(s): Lopefra - trash Lopefra-Biscayne land concrete

Submitting Firm: Florida Demolition Inc

Address: 245 SE 1st #326, Miami, Fl 33131

Name of Authorized Representative (print/type): Robert Arena

Title: Pres.

Authorized Signature: Robert Arena

Date: 9-2-14

Email: bwrecker@msn.com

Phone Number: 305-329-4174-off 305-333-1109 cell

FIRM PRICING

Prices submitted in this bid form are firm through (minimum 30 days): 45 days

Not included. Asbestos survey
Hazardous or regulated materials
All Haz or regulated materials to be removed prior to start of demo
salvage becomes property of FDI

EXHIBIT 4

TOWN OF BAY HARBOR ISLANDS

9665 BAY HARBOR TERRACE
BAY HARBOR ISLANDS, FL 33154
305-993-1786

Building Permit

Permit Number: BP2014-359 **Master Permit #:** BP2014-359
Date Issued: 2/18/2015
Expiration Date: 7/18/2015

Applicant

Name: Florida Demolition Inc **Phone:** 305-333-1109
Address: 245 Southeast 1 Street
Miami, FL 33131

Project Description:
Demolition on Structure

Parcel

Unit #:
Parcel Number: 13-2227-026-0001 **Zoning:**
Address: 1135 103 Street Bay Harbor Islands, FL 33154
Lot(s): TRACT **Block:** F

Owners

Name: Bay Harbor Continental Co-Op
Address: 1135 - 103 Street
Bay Harbor Islands, FL 33154

Contractor

Contractor Type: Certified General
Name: Florida Demolition Inc **Phone:** 305-333-1109
Address: 245 Southeast 1 Street
Miami, FL 33131

Inspection Checklist:

Reqd?	*Inspection Type*	*Date*	*Signature*
☑	Final		
☐			
☐			
☐			
☐			
☐			
☐			
☐			

Reqd?	*Inspection Type*	*Date*	*Signature*
☐			
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Fees and Receipts:

Number	Description		Amount
FEE2015-479	BP-DEMOLITION (Auto)		$3,500.00
FEE2015-480	CONSTRUCTION BOND (Auto)		$1,000.00
FEE2015-481	DC SURCHARGE (Auto)		$84.60
FEE2015-482	PROCESSING FEE (Auto)		$705.00
FEE2015-483	CREDIT CARD SURCHARGE		$1.00
		Total Fees:	**$5,290.60**
RCPT2015-133	2/18/2015		$5,290.60
		Total Receipts:	**$5,290.60**

Permit Information:

Construction Value: $141,000.00

Total Area:

Construction Type:

New Sq Ft: 35000

Purpose:

Comments:

The demolition permit is issued conditioned to the subsequent receipt by this department the presently missing items noted by the plan reviewers.

We respectfully request you to kindly issue the demolition permit for the Property with our assurance that we will not commence any demolition until the electrical supply is fully disconnected and we provide you with the requisite letter from FP&L. We will provide any written confirmations that you may need to obligate ourselves from commencing any demolition until electrical supply and other utilities to the building have been disconnected.

FAILURE TO COMPLY WITH MECHANICS LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR BUILDING IMPROVEMENTS

THIS PERMIT BECOMES NULL AND VOID UNLESS THE WORK AUTHORIZED IS COMMENCED WITHIN ONE HUNDRED AND EIGHTY (180) DAYS AFTER ITS ISSUANCE, OR IF THE WORK AUTHORIZED IS NOT INSPECTED FOR A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS. THE FLORIDA ENERGY CODE SUBMITTED BECOMES AN INTEGRAL PART OF

Any changes in building plans or specifications must be recorded with this office. Any work not cover above, must have a valid permit prior to starting. In consideration of the granting of this permit, the owner and builder agree to erect this structure in full compliance with the Building and Zoning Codes of the Town of Bay Harbor, Florida. This permit fee is not refundable.

This Permit is granted upon the express condition that all facts stated in the application are true and that the work complies strictly with the plans and specifications submitted, and in accordance and compliance with the Building Laws of the State of Florida and with all Ordinances of the Town of Bay Harbor Islands. This permit may be revoked at any time upon the violation of any provisions of said laws, ordinances or rules and regulations, or upon any change in plans and specifications unauthorized by the Town of Bay Harbor Islands. All sidewalks, gutters, drains, fire hydrants, roadways and private driveways within the block in which the work is being done are to be kept open by the Contractor for their intended uses.

Chief Building Official

In consideration of the issuance to me of the foregoing Permit, I hereby agree to do the proposed work or construction in strict conformity with the application and the plans and specifications thereof heretofore by me submitted, and in compliance with all provisions of all Building Laws of State of Flordia and Miami-Dade County, and all Ordinances of the Town of Bay Harbor Islands and all of the rules and regulations of the Town Council of the Town of Bay Harbor Islands.

x

Contractor or Builder

Hours of Construction (Town Code Section 12-26)

The peformance of activity within the town should be allowed only from 9:00 a.m. until 6:00 p.m., Monday to Friday and between the hours of 10:00 a.m. and 5:00 p.m. Saturday. The peformance of construction activity within the town will not be allowed on Sundays and legal holidays, and the same is hereby specifically prohibited. For purposes of this section, the term "legal holidays", is defined as any day legally observed as a holiday by the town.

NOTICE TO OWNER:

IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, AND THERE MAY BE ADDITIONAL PERMITS REQUIRED FROM OTHER GOVERNMENT ENTITIES SUCH AS WATER MANAGEMENT DISTRICTS, STATE AGENCIES, OR FEDERAL AGENCIES.

INSPECTIONS ARE TO BE CALLED IN 24 HRS IN ADVANCE BY THE CONTRACTOR AT (305) 993-1786.
ALL INSPECTIONS ARE SCHEDULED ON MONDAY, WEDNESDAY AND FRIDAYS.

Regarding Demolition Permit For

The Bay Harbor Continental
1135 103rd Street
Bay Harbor Islands, FL 33154

To:
Larry N. Wentworth Building Department
Bay Harbor Islands, FL 33154

Dear Larry,

We respectfully request you to kindly issue the demolition permit for the Property with our assurance that we will not commence any demolition until the electrical supply is fully disconnected and we provide you with the requisite letter from FP&L.

We will provide any written confirmations that you may need to obligate ourselves from commencing any demolition until electrical supply and other utilities to the building have been disconnected.

Thank you.

Sincerely,

Gaurav Butani

P3 Investments 1 LLC
1101 Brickell Avenue South Tower
8th Floor
Miami, FL 33154

FEB 18, 2015

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Project Summary

Pursuant to your request; ARS Environmental, Inc., has performed an Asbestos Building Survey on 9/5/2014 and limited to the above referenced location.

The **Interior/Exterior/Roof** of the above referenced location was visually inspected to identify building materials that may contain asbestos. Suspect materials were collected and samples sent to laboratory for analysis.

Laboratory Results

Based On The Laboratory Analysis, Asbestos Was Detected In Amounts Greater Than 1% In The Secured Bulk Samples.

It has been a pleasure working with you. Please call on us again.

Regards,

Alex Front,
ARS Environmental, Inc.

Prepared For:

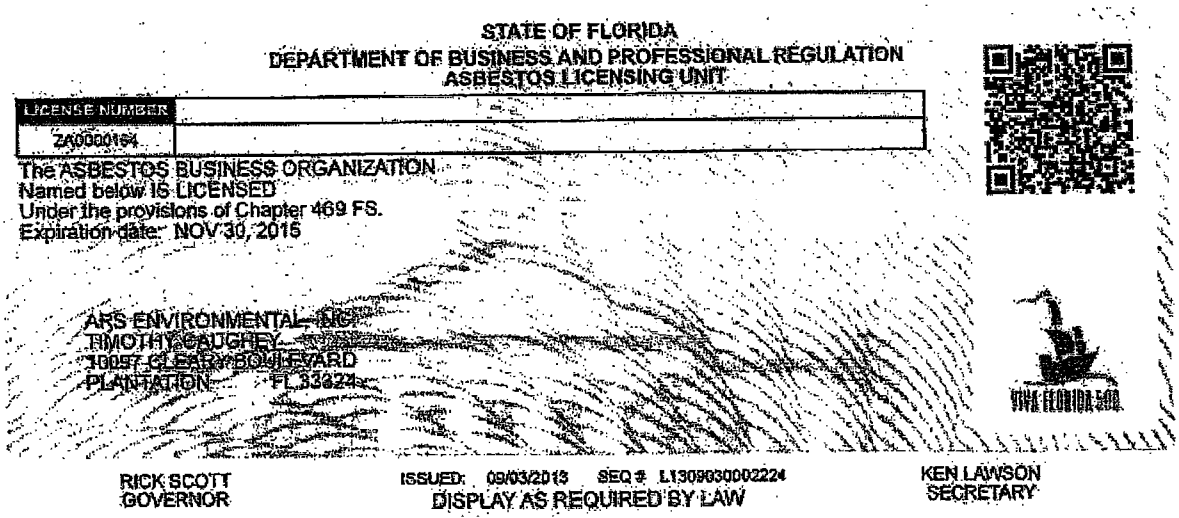
Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Certification

I hereby certify that this asbestos survey was conducted at the above referenced Job Site on 9/5/2014, and performed by Jeffrey Montalvan; accredited by the EPA as AHERA Inspector(s), utilizing the code of the Federal Regulation Standards, 40 CFR, Part 763, Subpart E, Section 763.80-763.99 and the State Asbestos Regulations, Florida Statutes 469.003.


STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
ASBESTOS LICENSING UNIT

LICENSE NUMBER
ZA0000164

The ASBESTOS BUSINESS ORGANIZATION
Named below IS LICENSED
Under the provisions of Chapter 469 FS.
Expiration date: NOV 30, 2015

ARS ENVIRONMENTAL INC
TIMOTHY CAUGHEY
10097 CLEARY BOULEVARD
PLANTATION FL 33324

RICK SCOTT
GOVERNOR

ISSUED: 09/03/2013 SEQ # L1309030002224
DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

Timothy F. Caughey, M.P.H.
Florida Licensed Consultant

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Certification



Jeffrey Montalvan
Certified Asbestos Surveyor
ARS Environmental, Inc.

Today's Date: 9/9/2014 | **Project Number: 20142164** | Page 4 of 21

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 1	Surfacing Material	Good	None	None	High	Non-friable	92,190 Sq. Ft.		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 2	Surfacing Material	Good	None	None	High	Non-friable	[illegible]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 3	Surfacing Material	Good	None	None	High	Non-friable	[illegible]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 4	Surfacing Material	Good	None	None	High	Non-friable	[illegible]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 5	Surfacing Material	Good	None	None	High	Non-friable	[illegible]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 6	Surfacing Material	Good	None	None	High	Non-friable	[illegible]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

Today's Date: 9/9/2014 | **Project Number: 20142164** | Page 5 of 21

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 7	Surfacing Material	Good	None	None	High	Non-friable	[redacted]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 8	Surfacing Material	Good	None	None	High	Non-friable	[redacted]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 9	Surfacing Material	Good	None	None	High	Non-friable	[redacted]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 10	Surfacing Material	Good	None	None	High	Non-friable	[redacted]		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 11	Miscellaneous	Good	None	None	High	Friable	38,600 Sq. Ft.		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 12	Miscellaneous	Good	None	None	High	Friable	[redacted]		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

Today's Date: 9/9/2014 | **Project Number: 20142164** | Page 6 of 21

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 13	Miscellaneous	Good	None	None	High	Friable	Throughout Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 14	Miscellaneous	Good	None	None	High	Friable	Throughout Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 15	Miscellaneous	Good	None	None	High	Friable	Throughout Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 16	Miscellaneous	Good	None	None	High	Friable	Throughout Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 17	Miscellaneous	Good	None	None	High	Friable	Throughout Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 18	Miscellaneous	Good	None	None	High	Friable	Throughout Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

Today's Date: 9/9/2014 | **Project Number: 20142164** |

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Job Site:

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Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 19	Miscellaneous	Good	None	None	High	Friable	[illegible]		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 20	Miscellaneous	Good	None	None	High	Friable	[illegible]		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 21	Miscellaneous	Good	None	None	Low	Non-friable	3 Sq. Ft.		Asbestos Not Detected
Layer	Black Sink Insulation	Kitchen Unit 1 C - 11							
Sample 22	Miscellaneous	Good	None	None	Low	Non-friable	3 Sq. Ft.		YES
Layer	Black Sink Insulation	Kitchen Unit D - 1							
Sample 23	Miscellaneous	Good	None	None	Low	Non-friable	3 Sq. Ft.		Asbestos Not Detected
Layer	Black Sink Insulation	Kitchen Unit D - 3							
Sample 24	Miscellaneous	Good	None	None	Low	Friable	2 Sq. Ft.		YES
Layer	Space Heater Insulation	Bathroom Wall Unit D - 1							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

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35 Condominium Units
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Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 25	Miscellaneous	Good	None	None	Low	Friable	2 Sq. Ft.		Yes
Layer	Space Heater Insulation	Bathroom Wall Unit G - 5							
Sample 26	Miscellaneous	Good	None	None	High	Non-friable	64 Sq. Ft.		Asbestos Not Detected
Layer	Floor Tiles; Peel And Stick; Black Mastic	1st Floor Mechanical Room Hallway							
Sample 27	Miscellaneous	Good	None	None	High	Non-friable	77 Sq. Ft.		Asbestos Not Detected
Layer 1	Floor Tiles; Peel And Stick; Beige Mastic	Kitchen Unit C - 4							
Sample 28	Miscellaneous	Good	None	None	High	Non-friable	77 Sq. Ft.		Asbestos Not Detected
Layer 2	12" X 12" Floor Tiles; Beige Mastic	Kitchen Unit C - 4							
Sample 29	Miscellaneous	Good	None	None	Low	Non-friable	7,800 Sq. Ft.		Asbestos Not Detected
Layer	Roof Material; Membrane	Over Building Under Gravel Rocks							
Sample 30	Miscellaneous	Good	None	None	Low	Non-friable	240 Ln. Ft.		Asbestos Not Detected
Layer	Roof Material; Flashing	Perimeter Of Roof And Roof Joints							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

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Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 31	Miscellaneous	Good	None	None	High	Non-friable	88 Sq. Ft.		Yes
Layer	9" X 9" Floor Tiles Black Mastic Mastic Positive Only	Kitchen Unit D - 1							
Sample 32	Miscellaneous	Good	None	None	High	Non-friable	67,200 Sq. Ft.		Asbestos Not Detected
Layer	Concrete Structure	Floors And Exterior Walls Main Building And Pool Building							
Sample 33	Miscellaneous	Good	None	None	High	Non-friable	[illegible]		Asbestos Not Detected
Layer	Concrete Structure	Floors And Exterior Walls Main Building And Pool Building							
Sample 34	Miscellaneous	Good	None	None	Low	Non-friable	1,060 Sq. Ft.		Asbestos Not Detected
Layer	Roof Material; Membrane	Over Pool Building							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

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Job Site:

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Bay Harbor, Fl

Friable Asbestos Containing Material

Sample Number	Description / Material Class	Location	Approximate Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Asbestos Detected
Sample 24 Layer	Space Heater Insulation Miscellaneous	Bathroom Wall Unit D - 1	2 Sq. Ft.	Good	None	None	Low	Friable	Yes
Sample 25 Layer	Space Heater Insulation Miscellaneous	Bathroom Wall Unit G - 5	2 Sq. Ft.	Good	None	None	Low	Friable	Yes

Recommendations

Friable: any material containing more than one percent asbestos which has been applied on ceilings, walls, structural members, piping, duct work, or any other part of a building, which when dry, may be crumbled, pulverized, or reduced to powder by hand pressure.

The following work practice should be followed whenever demolition/renovation activities involving RACM occur: Notify EPA of intention to demolish/renovate, remove all RACM from a facility being demolished or renovated before any disruptive activity begins or before access to the material is precluded, keep RACM adequately wet before, during, and after removal operations, conduct demolition/renovation activities in a manner which produces no visible emissions to the outside air, and handle and dispose of all RACM in an approved manner.

The above building material is considered friable and must be removed by a Florida Licensed Asbestos Abatement Contractor, prior to any disturbance caused by renovation or demolition.

When implementing the response actions, parties responsible for final selection should remember that actions shall be sufficient to protect human health and the environment, but may also be the least burdensome method. Nothing in these recommendations should be construed as prohibiting or discouraging removal.

In the event that demolition or renovation is deemed necessary, parties shall comply with all applicable laws, ordinances, rules and regulations of Federal, State and Local Governmental Agencies, including any National Emissions Standard Hazardous Air Pollutants (N.E.S.H.A.P.) Notification requirements

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Category I - Non-Friable Asbestos Containing Material

Sample Number	Description / Material Class	Location	Approximate Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Asbestos Detected
Sample 22 Layer	Black Sink Insulation Miscellaneous	Kitchen Unit D - 1	3 Sq. Ft.	Good	None	None	Low	Non-friable	Yes
Sample 31 Layer	9" X 9" Floor Tiles Black Mastic Mastic Positive Only Miscellaneous	Kitchen Unit D - 1	88 Sq. Ft.	Good	None	None	High	Non-friable	Yes

Recommendations

The above referenced Asbestos Contained Building Materials may be left in place if deemed to be in good condition and no repairs or renovations are scheduled which would disturb them. Care should be taken to ensure that the materials not be disturbed during repair, renovation or remodelling activities which could possibly release fibers into the air. To reduce the intrinsic liability to the owners, the ultimate solution may be to have the material removed. However, at the minimum, a formal Operations and Maintenance (O&M) Program is recommended to minimize potential fiber releases, monitor any future deterioration, and to ensure proper record keeping.

Under the FDEP regulations, Category I non-friable asbestos-containing materials may be left in place during demolition under wet conditions. However, OSHA regulations require that disposal of asbestos-containing materials and debris is disposed of in a leak-tight and labeled container. The container may be plastic bags so long as the holding is leak-tight. All materials must be disposed of in a Class I landfill and manifest as Category I Non-Friable Asbestos containing material.

To meet the requirements of a wet demolition, it is the responsibility of the demolition contractor to control any visible emissions by adequately applying water on the structure. Furthermore, the work practices for the demolition of a building containing asbestos must be in regulatory compliance with OSHA 1926.1101. All materials must be kept thoroughly wet or saturated during the demolition to assist in preventing the release of asbestos fibers. A certified asbestos supervisor must perform or supervise the work. If during the demolition process visible emissions are observed, the asbestos-containing materials must then be abated.

The regulations of the Occupational Safety and Health Administration (OSHA) applies to any detectable amount of asbestos in building materials or on facility components. This requirement covers worker training, work practices, and disposal methods. In summary, removing asbestos in a commercial setting requires training, specific work practices, and disposal methods for the asbestos and asbestos-containing debris.

However, if Category I Materials have become friable or are in poor condition, they must be removed before demolition or renovation begins by a Florida Licensed Asbestos Abatement Contractor.

When implementing the response actions, parties responsible for final selection should remember that actions shall be sufficient to protect human health and the environment, but may also be the least burdensome method. Nothing in these recommendations should be construed as prohibiting or discouraging removal.

Today's Date: 9/9/2014	Project Number: 20142164	Page 12 of 21

Prepared For:

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Category II - Non-Friable Asbestos Containing Material

Sample Number	Description / Material Class	Location	Approximate Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Asbestos Detected

NONE DETECTED

Recommendations

The above referenced Asbestos Contained Building Materials may be left in place if deemed to be in good condition & no repairs or renovations are scheduled which would disturb them. Care should be taken to ensure that the materials not be disturbed during repair, renovation or remodelling activities which could possibly release fibers into the air. To reduce the intrinsic liability to the owners, the ultimate solution may be to have the material removed.

The above building materials are considered Category II Non-Friable and are likely to become crushed, crumbled, pulverized or reduced to powder during demolition or renovation therefore must be removed before demolition or renovation begins by a Florida Licensed Asbestos Abatement Contractor.

To meet the requirements of a wet demolition, it is the responsibility of the demolition contractor to control any visible emissions by adequately applying water on the structure. Furthermore, the work practices for the demolition of a building containing asbestos must be in regulatory compliance with OSHA 1926.1101. All materials must be kept thoroughly wet or saturated during the demolition to assist in preventing the release of asbestos fibers. A certified asbestos supervisor must perform or supervise the work. If during the demolition process visible emissions are observed, the asbestos-containing materials must then be abated.

The regulations of the Occupational Safety and Health Administration (OSHA) applies to any detectable amount of asbestos in building materials or on facility components. This requirement covers worker training, work practices, and disposal methods. In summary, removing asbestos in a commercial setting requires training, specific work practices, and disposal methods for the asbestos and asbestos-containing debris.

However, if Category II Materials have become friable or are in poor condition, they must be removed before demolition or renovation begins by a Florida Licensed Asbestos Abatement Contractor.

When implementing the response actions, parties responsible for final selection should remember that actions shall be sufficient to protect human health and the environment, but may also be the least burdensome method. Nothing in these recommendations should be construed as prohibiting or discouraging removal.

General Terms and Conditions

Scope of Work

ARS Environmental's inspections are limited and non-destructive in nature. Any conditions or materials which were not able to be visually observed on the surface, or in easily accessible areas, were not inspected and may differ from those observed. It was not within the scope of this investigation to remove surface materials to investigate portions of the structure or materials which lay beneath the surface. Our selection of sample locations and frequency is based upon our observations and the assumption that like materials in the same area are homogeneous. This inspection report is the result of a diligent search of the facility for Asbestos Containing Building Materials (ACBM). The purpose of this inspection was to identify those materials which may pose a health hazard to occupants of a building and impart future liability to the owners and insurers of the property. However, we do not claim to have identified all of the asbestos containing building materials present in the facility. Materials such as underground pipes, any material inside walls, ceilings, floors, or other enclosed and inaccessible areas were not sampled and are not covered in this report. This report is designed to aid the building owner, architect, construction manager, general contractor, and potential asbestos abatement contractor in locating asbestos containing building materials. Under no circumstances is this report to be utilized as a proposal or a project specification document. This report is based upon conditions and practices observed at the property and information made available to the surveyor. This report does not intend to identify all hazards or unsafe practices, nor to indicate that other hazards or unsafe practices do not exist at the premises. In the event that demolition or renovation is deemed necessary, parties shall comply with all applicable laws, ordinances, rules, and regulations of federal, state, and local governmental agencies, including any National Emissions Standard Hazardous Air Pollutants (NESHAP) notification requirements.

Right of Entry

The client will provide for right of entry to ARS Environmental's personnel in order to complete the above referenced work.

Invoices

ARS Environmental will submit invoices to client upon completion of services.

Ownership of Documents

All reports, field data, field notes, laboratory tests data, calculations, estimates, and any other documents prepared by ARS Environmental as instruments of service shall remain the property of ARS Environmental.

Assumptions and Limitations

The results, findings, conclusions, and recommendations expressed in this report are based only on conditions which were observed during inspections by this report. ARS Environmental makes no representation or assumptions as to past conditions or future occurrences.

Assigns

Neither the client nor ARS Environmental may delegate, assign, sublet or transfer his duties or interest in this agreement without the written consent of the other party.

Roof Cuts

To obtain accurate information in a roof investigation, roof cuts approximately four inch 4" squares, may be deemed necessary. It is the responsibility of our client to make appropriate repairs to these roof cuts, using materials consistent with the roofing system and in accordance with any existing material manufacturer's warranties. A roofing contractor or maintenance personnel selected by our client should be on the roof to make any necessary repairs at the time the samples are being obtained. Although, every attempt will be made to make these repaired areas water tight, ARS Environmental will in no way be responsible for any water damage to the roofing system, building, or it's contents resulting from ARS Environmental temporary repairs.

Disclaimer

If in the course of a renovation or demolition activity, suspect materials become exposed, ALL FURTHER ACTIVITY SHOULD IMMEDIATELY CEASE AND THE STATUS OF THE MATERIAL SHOULD BE DETERMINED BEFORE PROCEEDING.

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS ENVIRONMENTAL, INC.
CHAIN OF CUSTODY

Page 1 Of 4

PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14
Samples Taken By: J. MONTALVAN
Project Number: 2014-2164

Project Location: CONDO BLDG
1135 103 RD STREET
BAY HARBOR, FL

Sample / Layer	Material Class	Sample Description	Sample Location	Approx. Size	Sample Condition	Friable? Damage	Water Damage	Asbestos Content	Sample Friability
1	S	INTERIOR PLASTER COAT	THROUGHOUT THE WALLS AND CEILING INSIDE ALL	92,190	G	N	N	H	NF
2	S	" "	THESE UNITS. " "	SA					
3	S	" "	" "	SA					
4	S	" "	" "	SA					
5	S	" "	" "	SA					
6	S	" "	" "	SA					
7	S	" "	" "	SA					
8	S	" "	" "	SA					
9	S	" "	" "	SA					
10	S	" "	" "	SA	↓	↓	↓	↓	↓

Material Class: S=Surfacing Materials, T=Thermal Insulation (TSI), M=Miscellaneous Materials

Friability: NF=Category I or Category II Non-Friable Material that will, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure.) F=Material that may be crumbled, pulverized, or reduced to powder by hand pressure when dry.)

Transfered By: [signature] Date: 9/5/14 Received By: [signature] Date: 9/7/14

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Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS Environmental, Inc.
CHAIN OF CUSTODY

Page 2 Of 4

PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Times Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14 Project Location: CONDO BLDG
Samples Taken By: J. MANTALVAN 1135 103RD STREET
Project Number: 2014-2164 BAY HARBOR, FL

Sample Layer	Material Class	Sample Description	Sample Location	Approx. Size	Sample Condition	Physical Damage	Water Damage	Material Continuity	Sample Friability
11	M	WALLBOARD/JOINT COMPOUND	THROUGHOUT SOME WALL INSIDE KITCHEN AND UNDER	38600'	G	N	N	H	F
12	M	" "	WINDOWS BEHIND PLASTER " "	EA					
13	M	" "	" "	EA					
14	M	" "	" "	EA					
15	M	" "	" "	EA					
16	M	" "	" "	EA					
17	M	" "	" "	EA					
18	M	" "	" "	EA					
19	M	" "	" "	EA					
20	M	" "	" "	EA	↓	↓	↓	↓	↓

Material Class: S-Surfacing Materials TSI-Thermal Insulation (TSI) M-Miscellaneous Materials

Friability: NF-Category I or Category II Non-Friable Material that may, when dry, may be crumbled, pulverized, or reduced to powder by hand pressure. F-Material that may be crumbled, pulverized, or reduced to powder by hand pressure when dry.

Transferred By: [signature] Date: 9/5/14 Received By: [signature] Date: 9/7/14

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Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS ENVIRONMENTAL, INC.
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Page 3 Of 4
PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14
Project Location: CONDO BLDG
Samples Taken By: J. MONTALVAN
1135 103RD STREET
Project Number: 2014-2164
☒INT ☒EXT ☒ROOF
BAY HARBOR, FL

Sample Layer	Material Class	Sample Description	Sample Location	Approx. Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability
21	M	BLACK SINK INSULATION	INSIDE KITCHEN AREA OF UNIT (C-1)	3'	G	N	N	L	NF
22	M	" "	INSIDE KITCHEN AREA OF (D-1)	3'	↓	↓	↓	↓	↓
23	M	" "	INSIDE KITCHEN AREA OF (D-3)	3'	↓	↓	↓	↓	↓
24	M	SPACE HEATER INSULATION	INSIDE THE BATHROOM WALL OF (D-1)	2'	↓	↓	↓	↓	F
25	M	" "	INSIDE THE BATHROOM WALL OF (G-5)	2'	↓	↓	↓	↓	↓
26	M	BLACK PEEL & STICK FLOOR TILES & MASTIC	1ST FLOOR MECHANICAL ROOM HALLWAY	64'	G	N	N	H	NF
27/1	M	BEIGE PEEL & STICK FLOOR TILES/MASTIC	INSIDE UNIT (C-4) KITCHEN 1ST LAYER	77'	↓	↓	↓	↓	↓
28/2	M	IXI BEIGE FLOOR TILES & MASTIC	INSIDE UNIT (C-4) KITCHEN 2ND LAYER	77'	↓	↓	↓	↓	↓
29	M	ROOF MATERIAL (MEMBRANE)	OVER THIS BLDG UNDER GRAVEL ROCKS.	7800'	↓	↓	↓	L	↓
30	M	ROOF MATERIAL (FLASHING)	AROUND THE PERIMETER AT THE ROOF JOINTS.	240LF	↓	↓	↓	↓	↓

Material Class: S=Surfacing Materials T=Thermal Insulation (TSI) M=Miscellaneous Materials

Friability: NF=Category I or Category II Non-Friable Material (Material that, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure.) F=Material that may be crumbled, pulverized, or reduced to powder by hand pressure when dry.)

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Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS ENVIRONMENTAL, INC.
CHAIN OF CUSTODY

Page 4 of 4

PLM Analysis: Asbestos Bulk Samples

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Sampling Date: 9/5/14
Project Location: CONDO BLDG
1135 103RD STREET
BAY HARBOR, FL
Samples Taken By: J. MONTALVO
Project Number: 2014-2164
CLIENT
X JOEL REED
CONSULTANT

Sample #	Material Class	Sample Description	Sample Location	Approx. Size	Sample Friability	Sample Friability	Water Damage	Accessible	Sample Friability
31	M	9X9 FLOOR TILES & BLACK MASTIC	INSIDE THE UNIT (D-1) KITCHEN AREA	88'	G	N	N	H	NF
32	M	CONCRETE STRUCTURE	THROUGHOUT THE FLOORS AND EXTERIOR WALLS MAIN	67200'	↓	↓	↓	↓	↓
33	M	" "	BLDG AND POOL BLDG. " "	EA	↓	↓	↓	↓	↓
34	M	ROOF MATERIAL (MEMBRANE)	OVER POOL BLDG.	1060'	↓	↓	↓	L	↓
		NO INSULATION OBSERVED BEHIND THE WALLS A/C DUCT FIBERGLASS INSULATION AND WINDOW UNITS							
		TERRAZZO FLOORS, CERAMIC TILES, CARPET AND WOOD OBSERVED NOT TYPICAL SUSPECT MATERIAL.							

Material Class: S=Surfacing Material, TS=Thermal System Insulation, M=Miscellaneous Material

Friability: G=Category I Non-Friable (Non-friable organically bound, when dry, may not be reduced to powder by hand pressure.) F=Friable (Friable may be crumbled, pulverized, or reduced to powder by hand pressure when dry.)

Transferred By: _____ Date: 9/5/14 Received By: _____ Date: 9/7/14

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Asbestos Survey — Laboratory Results

ARS ENVIRONMENTAL, INC.

Environmental Consulting Services
Asbestos Business License #ZA-0000164

Asbestos Consulting • Radon Measurements • Lead Assessments • Indoor Air Quality Testing • Mold Investigations

Today's Date: 9/9/2014 Project Number: 20142164 Page 1 of 4

Prepared For:

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Job Site:

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1135 103rd Street
Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
1	Plaster	No Asbestos Detected		100%
2	Plaster	No Asbestos Detected		100%
3	Plaster	No Asbestos Detected		100%
4	Plaster	No Asbestos Detected		100%
5	Plaster	No Asbestos Detected		100%
6	Plaster	No Asbestos Detected		100%
7	Plaster	No Asbestos Detected		100%
8	Plaster	No Asbestos Detected		100%
9	Plaster	No Asbestos Detected		100%
10	Plaster	No Asbestos Detected		100%

Alex Front,
Analyst

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Asbestos Survey — Laboratory Results

ARS ENVIRONMENTAL, INC.

Environmental Consulting Services
Asbestos Business License #ZA-0000164

Asbestos Consulting • Radon Measurements • Lead Assessments • Indoor Air Quality Testing • Mold Investigations

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
11	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
12	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
13	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
14	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
15	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
16	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
17	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
18	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
19	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
20	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%

Alex Front,
Analyst

Asbestos Survey — Laboratory Results

ARS ENVIRONMENTAL, INC.

Environmental Consulting Services
Asbestos Business License #ZA-0000164

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Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
21	Sink Insulation	No Asbestos Detected	15% Cellulose 5% Synthetic	80%
22	Sink Insulation	[redacted]	15% Cellulose 5% Synthetic	75%
23	Sink Insulation	No Asbestos Detected	15% Cellulose 5% Synthetic	80%
24	Space Heater	[redacted]		55%
25	Space Heater	[redacted]		55%
26	Floor Tile	No Asbestos Detected		100%
	Mastic	No Asbestos Detected	10% Cellulose	90%
27	Floor Tile	No Asbestos Detected		100%
	Mastic	No Asbestos Detected	10% Cellulose	90%
28	Floor Tile	No Asbestos Detected		100%
	Mastic	No Asbestos Detected	10% Cellulose	90%
29	Membrane	No Asbestos Detected	35% Cellulose 20% Glass 5% Synthetic	40%
30	Flashing	No Asbestos Detected	35% Cellulose 15% Glass 5% Synthetic	45%

Alex Front,
Analyst

10097 Cleary Boulevard • #305 • Plantation, FL 33324 • Phone: 954-227-2402 • Fax: 866-816-5110
www.arsenvironmental.com • sales@arsenvironmental.com

Asbestos Survey — Laboratory Results

ARS ENVIRONMENTAL, INC.
Environmental Consulting Services
Asbestos Business License #ZA-0000164
Asbestos Consulting • Radon Measurements • Lead Assessments • Indoor Air Quality Testing • Mold Investigations

Today's Date: 9/9/2014 Project Number: 20142164 Page 4 of 4

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
31	Floor Tile --- Black Mastic	No Asbestos Detected --- 5% Chrysotile	 --- 10% Cellulose	100% --- 85%
32	Concrete	No Asbestos Detected		100%
33	Concrete	No Asbestos Detected		100%
34	Membrane	No Asbestos Detected	30% Cellulose 25% Glass	45%

Alex Front,
Analyst

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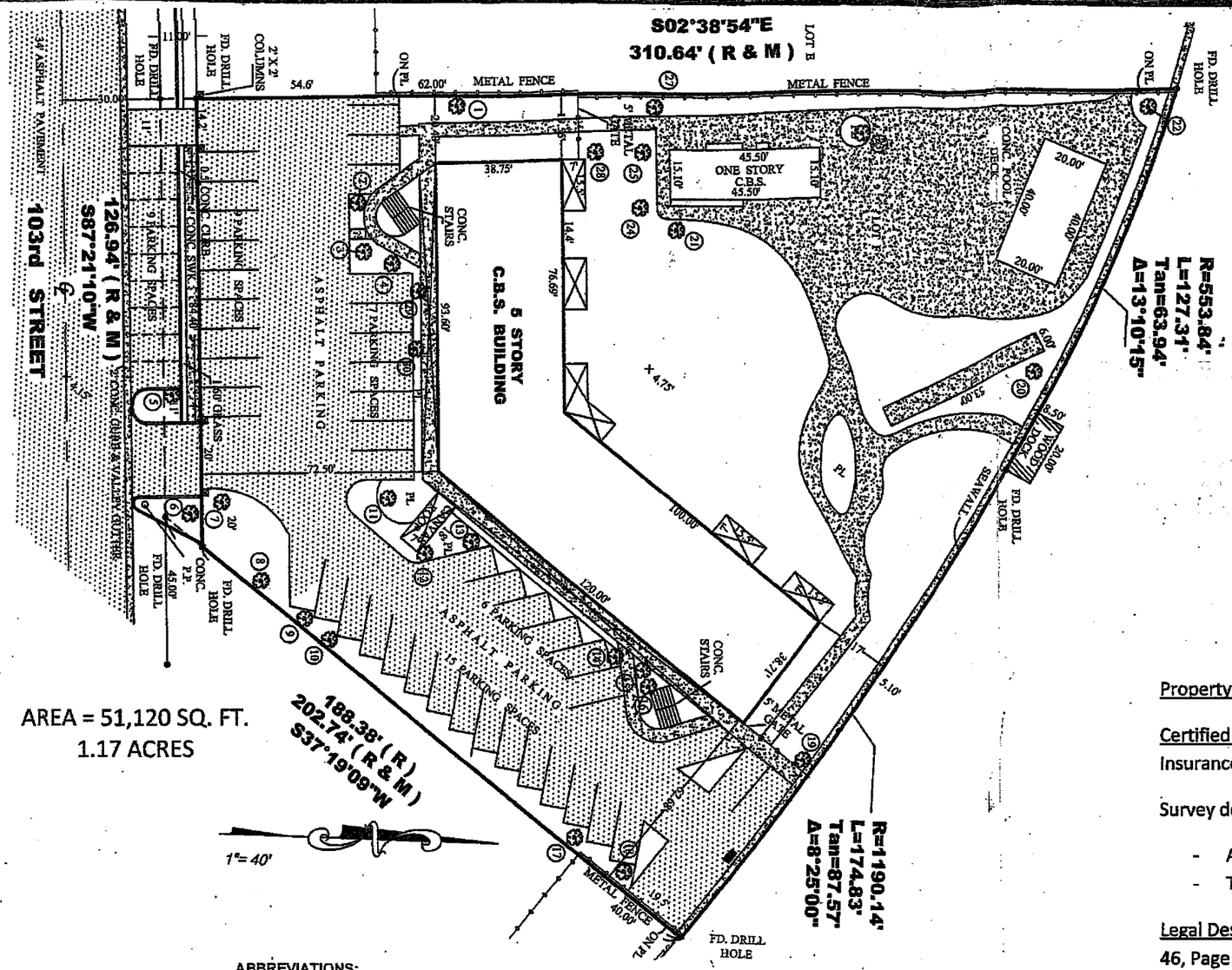


AREA = 51,120 SQ. FT.
1.17 ACRES

ABBREVIATIONS:
SWK=SIDEWALK, CBS=CONCRETE BLOCK STRUCTURE, CLF=CHAIN LINK FENCE, PL=PROPERTY LINE, DUE=DRAINAGE UTILITY EASEMENT, IP=IRON PIPE, F=FOUND, A/C=AIR CONDITIONER PAD, P/C=PROPERTY CORNER, D/H=DRILLED HOLE, W/F=WOODEN FENCE, RES=RESIDENCE, CL-C LEAR, RB=REBAR, UE=UTILITY EASEMENT, CONC=CONCRETE SLAB, R/W=RIGHT OF WAY, DE=DRAINAGE EASEMENT, C/L=CENTER LINE, Ø=DIAMTER, TYP=TYPICAL, M=MEASURED, R=RECORDED, ENCR=ENCROACHMENT, COMP=COMPUTER, ASH=ASPHALT, N/D=NAIL & DISC, S=SET, FEE=FINISH FLOOR ELEVATION, O/S=OFFSET, P/P=POWER POLE, OHP=OVERHEAD POWERLINE, WM=WATER METER

WOOD FENCE=
MASONRY WALL=
CONCRETE=
MAINTENANCE & DRAINAGE EASEMENT= M & D.E.

ELEVATION BASED ON LOC. #
CBM# ELV.

TYPE OF SURVEY: BOUNDARY SURVEY

SURVEYOR'S NOTES: 1) OWNERSHIP SUBJECT TO OPINION OF TITLE. 2) NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 3) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. 4) UNDERGROUND ENCROACHMENTS NOT LOCATED. 5) ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929. 6) OWNERSHIP OF FENCES ARE UNKNOWN. 7) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. 8) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK FOR BUILDING AND ZONING INFORMATION.

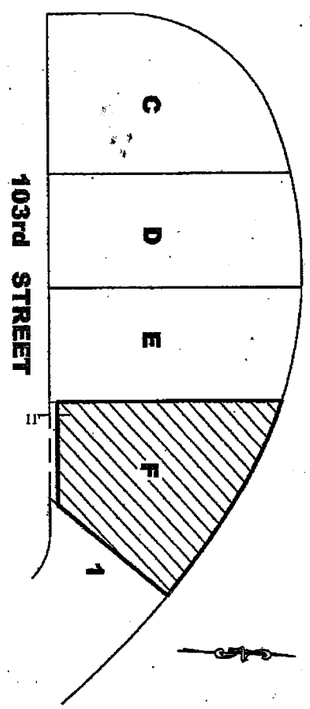
ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

BEARINGS WHEN SHOWN ARE REFERRED TO AN ASSUMED VALUE OF SAID PB 46 PAGE 5

NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL

REVISED:

LOCATION SKETCH
SCALE: NTS



ALTA SURVEY

Property Address: 1135 103rd St., Bay Harbor Islands, FL 33154.

Certified To: P3 Investments I, LLC a Florida limited liability company; Akerman LLP; First American Title Insurance Company.

Survey done according to First American Title Insurance Company File Number: 1062-3134633.

- All Schedule B-II title exceptions are blanket in nature and not plottable.
- There are no encroachments on the property.

Legal Description: Tract "F" of BAY HARBOR ISLAND, according to the Plat thereof, recorded in Plat Book 46, Page 5, of the Public Records of Miami-Dade County, Florida.

LESS AND EXCEPT, that portion conveyed to the Town of Bay Harbor Islands, a Florida municipality by that instrument recorded in Official Records Book 427, Page 281, of the Public Records of Miami-Dade County, Florida

I HEREBY CERTIFY That the survey represented thereon meets the minimum technical requirements adopted by the STATE OF FLORIDA Board of Land Surveyors pursuant to Section 472.027 Florida Statutes.
There are no encroachments, overlaps, easements appearing on the plat or visible easements other than as shown hereon.

ADIS N. NUNEZ
REGISTERED LAND SURVEYOR
STATE OF FLORIDA #5924

SINCE 1987
BLANCO SURVEYORS INC.
Engineers • Land Surveyors • Planners • LB # 0007059
555 NORTH SHORE DRIVE
MIAMI BEACH, FL 33141
(305) 865-1200 Email: blancosurveyorsinc@yahoo.com Fax: (305) 865-7810

FLOOD ZONE: AE		SUFFIX: L	DATE: 9/11/09 BASE: 9'
PANEL: 0144		COMMUNITY #	120637
DATE: 8/25/14	SCALE: 1" = 40'	DWN. BY: F. Blanco	JOB No 14-257

TREE CHART

No.	NAME	DIAMETER	HEIGHT	SPAN
1	PINE TREE	2.5'	60'	15'
2	PALMETTO PALM	1'	30'	10'
3	TWIN PALMETTO PALM	1'	12'	10'
4	UMBRELLA TREE	2'	20'	15'
5	PALMETTO PALM	2'	10'	12'
6	PALMETTO PALM	1.5'	10'	12'
7	PALMETTO PALM	1.2'	8'	10'
8	PALMETTO PALM	1.5'	15'	12'
9	PALMETTO PALM	2'	16'	14'
10	PALMETTO PALM	1.5'	12'	12'
11	PALMS (3)	0.7' EACH	35'	12'
12	PALMS (3)	0.60' EACH	25'	12'
13	UMBRELLA TREE	1.5'	15'	12'
14	PALMETTO PALM	0.60'	30'	10'
15	PALMETTO PALM	0.80'	30'	10'
16	UMBRELLA TREE	1' & 1.3'	20'	15'
17	PALMETTO PALM	1'	15'	12'
18	PALMETTO PALM	2'	9'	10'
19	BIRD OF PARADISE	0.30' EACH	20' (1) 15' (6)	6' EACH
20	SEA GRAPE TREET (2)	1' (1) 0.80' (1)	15' EACH	20' EACH
21	SEA GRAPE TREET	1.2'	12'	12'
22	ONKNOWN SMALL TREE & CLUSTER	0.40' (1) 0.10' - 0.25' (REST)	12'	12'
23	BUSH	8'	6'	8'
24	PALM (1) TREE (4) CLUSTER	0.40' 4'	15'	8'
25	PALM (1) TREE (4) CLUSTER	0.40' 2'	12'	12'
26	PALMS CLUSTER	4'	14'	18'
27	COCONUT PALM	1'	10'	15'
28	COCONUT PALM	0.35'	12'	10'
29	BIRD OF PARADISE	1.2'	15'	12'
30	BIRD OF PARADISE	1.0'	10'	15'

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BEARINGS WHEN SHOWN ARE REFERRED TO AN ASSUMED VALUE OF SAID PB 46 PAGE 5

NOT VALID UNLESS EMBOSSED WITH
SURVEYOR'S SEAL



REVISED:

I HEREBY CERTIFY That the survey represented hereon meets the minimum technical requirements adopted by the STATE OF FLORIDA Board of Land Surveyors pursuant to Section 472.027 Florida Statutes.
There are no encroachments, overlaps, easements appearing on the plat or visible easements other than as shown hereon.

ADIS N. NUNEZ
REGISTERED LAND SURVEYOR
STATE OF FLORIDA #5924

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FLOOD ZONE: AE		SUFFIX: L	DATE: 9/11/09 BASE: 9'
PANEL: 0144		COMMUNITY # 120637	
DATE: 8/25/14	SCALE: 1" = 20'	DWN. BY: F. Blanco	JOB No 14-257

EXHIBIT 5

ERF
construction group inc.

Mr. Robert Kolbert
President
Bay Harbor Continental Inc.
1135 103rd Street
Bay Harbor Islands, Fl 33154

Personal and confidential

In accordance to our proposal letter as of March 9, 2015 we are herewith submitting the report documenting our observations conducted on March 9, 2015 at Bay Harbor Continental building located at 1135 103 Street, Bay Harbor Islands, Florida

Areas Observed:

- Common areas; Roof, stairs, parking, recreational pool areas and sea wall.

- Apartments 2A, 2C, 4A 5C.

General characteristics:

- The construction of the building was performed in 1958
  Consisting of 35 (one and two bedroom) apartments.
- The subject is a 57 years old building, requiring major up-grades to comply with current up to date safety codes and standards.
- The Building stands below Base Flood Elevation.

Note: No construction plans were available.

Findings:

1. Built up roof needs replacement, leaks were reported, membrane adhesion to roof failures observed.
2. Exit stairs door do not shut properly to meet safety codes. Egress signage missing or damaged.
3. Insufficient water pressure in some of the apartments indicating old clogged and rusted plumbing.
4. Frequent waste stacks clogged were reported.
5. Parking drainage deficiency reported.

6. Glass jalousie windows are not air sealed and do not comply with energy codes and do not comply with current wind loads codes (safety issue). Water intrusion at multiple locations.
7. Balcony sliding doors not working properly.
8. Air conditioning units protrude into required egress width of corridors, presenting a safety issue and/or other accessibility issues.
10. Hand railings corroded and broken at several places.
11. Swimming pool leaks reported.
12. Floor cracks were noted due to possible hydrostatic pressure given below BFE structure.

Rising water levels anticipated in the future should be of important concern.

Cost analysis:

In the attached table it is our main objective to quantify the cost of refurbishing the building, exclusively addressing safety and the 11 fundamental issues mentioned above.

Notes:

The estimates provided are based on a one day observation trip and standard estimating techniques, and cost information you have provided and therefore no representation or warranty is given or implied as to the information or pricing that is presented.

*Even though no testing was performed, we can expect the presence of lead paint under the layers of paint or exposed in certain areas which constitutes a health hazard to the residents. Lead mitigation costs increase remodeling costs substantially, especially when the peeling method becomes an essential method and toxicity levels are high (regarding the disposal sites). In our experience when lead paint existence is detected, peeling mitigation method costs could be as high as $20,000 per apartment, without taking in consideration the relocation of residents, inconvenience. Encapsulation method, which is substantially less costly, is not recommended when partial demolition of surfaces is necessary to upgrade the rough-in plumbing and electrical items.

*Residents' relocation during construction is essential.

The partial repair cost estimates attached as Exhibit 1, focusing on the eleven (11) functionality issues cost analysis is further complicated by shared common elements (sanitary pipes, conduits ext.) will require that all unit owners must agree unanimously to the upgrade works to be performed.

As requested, our experience as contractors in the COMPREHENSIVE remodeling of 1,200 units built in the 1950s, the cost for the upgrade and remodeling of the Bay Harbor Continental units, including common areas would be in the range of $160,000 to $200,000 per unit with standard finishes.
Furthermore, a RESTORATION is a much more expensive and a difficult undertaking that will require a multi-level expertise and an in-depth detailed inspection. A basic estimate has been shown.

Emilio Fagundo
President
ERF Consultant Group

Exhibit A: Estimated Costs for Obsolete Functionality Items.
Exhibit B: Estimated Costs for Restoration

ESTIMATED COSTS

Bay Harbor Continental, 1135 103rd Street, Bay Harbor Island, Bay Harbor, FL

Bath Upgrade	Square Feet	200	$	$41,000		$	$	$41,000	$91,000
Beam Decks	Each	[illegible]	$2,500	$75,000	$600	$6,000		$	$81,000
Potable Water Rough-Ins	Units	72	$1,200	$82,000	$2,500	$97,500		$	$179,500
Sanitary and Storm Rough-Ins	Units	78	$1,000	$67,000	$2,500	$97,500		$	$165,000
Electrical Wiring	EA	78	$1,500	$117,000		$	$1,500	$117,000	$234,000
New Windows and Sliding Doors	Units	105	$2,500	$262,500		$		$	$262,500
Wall Mount Split AC Systems	Units	78		$		$	$2,000	$156,000	$156,000
New Metal Rails	LF	200		$	$	$100,000		$	$100,000
Swimming Pool Renovation	EA	1		$		$	$110,000	$110,000	$110,000
Electrical Panels	EA	1		$		$	$75,000	$75,000	$75,000
Local Paint Allowance	Units	40		$		$	$25,000	$750,000	$750,000
Flooring	Required But Not Estimated			$		$		$	$
Laundry Appliances	Required But Not Estimated			$		$		$	$
Bathroom	Required But Not Estimated			$		$		$	$
Refrigerators	Required But Not Estimated			$		$		$	$
Cabinets	Required But Not Estimated			$		$		$	$
Vanities	Required But Not Estimated			$		$		$	$
Other				$		$		$	$
Total				**$494,000**		**$281,000**	**$108,500**	**$949,500**	**$1,734,000**
								Subtotal	$1,734,000
								Contingency Costs Add 15%	$260,100
								Total	$1,994,100

		$494,000
		$281,000
	8%	$39,520
		$949,500
		$256,478
Total Construction		$2,020,498
Contractor's Overhead	5%	$101,025
Contractor's Profit	5%	$101,025
Insurance		
Performance and Payment Bonds	2%	$40,410
Permits & Inspection Fees	1%	$20,205
Public Adjuster	2%	$40,410
Total Insurance		$101,025
Resident Relocation		
8 Months @ $2,500 per month per unit		$560,000

Total Costs	**$2,976,477**
Total Relocation Costs	**$560,000**
Total Costs	**$3,536,477**
Cost Per Unit	**$101,042**

B. ESTIMATED COSTS OF COMPREHENSIVE RESTORATION*.

Sec. Electrical works	Apts	35				$6,000	$210,000	$210,000
Mechanical works	Apts	35				$5,000	$175,000	$175,000
Sec. civil works	Apts	35				$5,000	$175,000	$175,000
Elevator	EA	1				$300,000	$300,000	$300,000
Baths (2 bath units)	Apts	30	$6,000	$60,000		$2,000	$20,000	$80,000
Baths (3 bath units)	Apts	25	$6,000	$150,000		$2,000	$50,000	$200,000
Kitchens	Apts	35	$12,000	$420,000		$3,000	$105,000	$525,000
New doors	Apts	35				$1,000	$35,000	$35,000
Painting & Tints	Apts	35				$3,000	$105,000	$105,000
Flooring	Apts	35				$5,000	$175,000	$175,000
Sub-total costs								$1,900,000
Contractors overhead and profit								$834,400
Insurance & bonds								$130,600
Sub-Total								$2,653,200
PLUS ESTIMATED COSTS OF OBSOLETE FUNCTIONALITY ITEMS								$3,536,477

* Restoration of buildings requires components manufactured by suppliers that may no longer be in existence or in the regular market, thus creating a cost uncertainty but undoubtedly a substantial expensive products.

A final estimate of costs cannot be submitted without final reconnaissance.



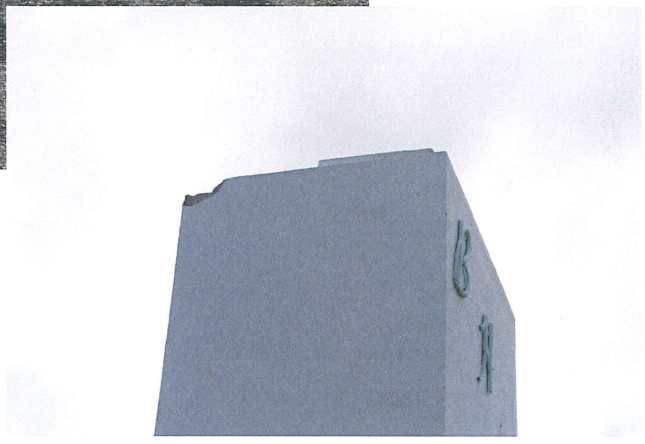


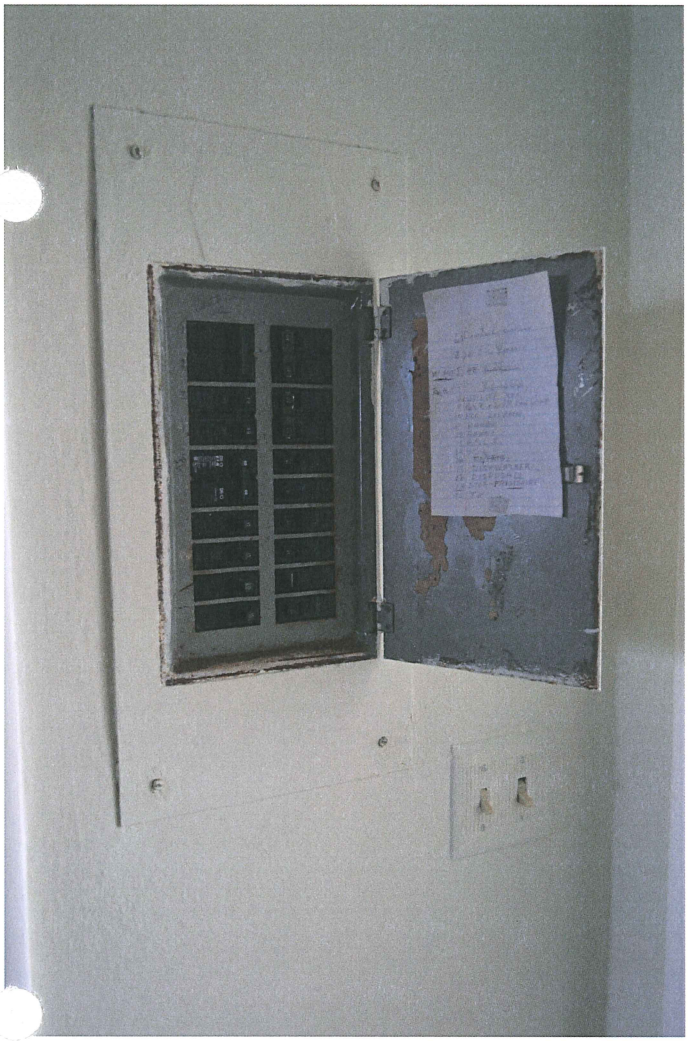
ROOF AREAS including vents, piping & AC condensing units

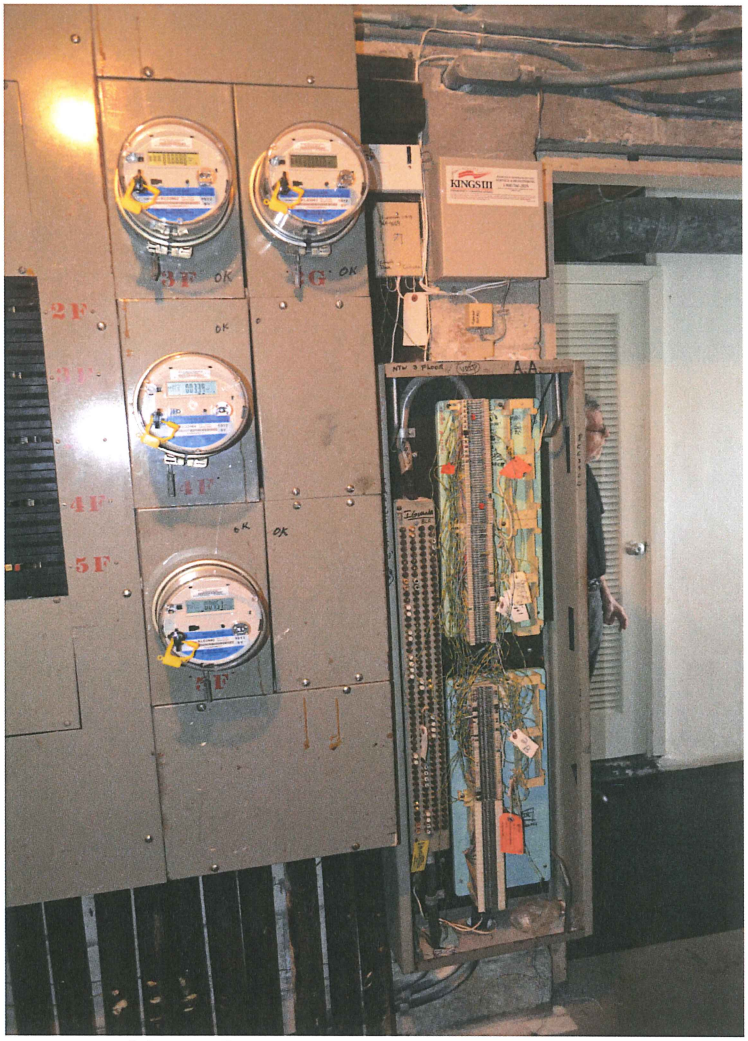




Abandoned water tower



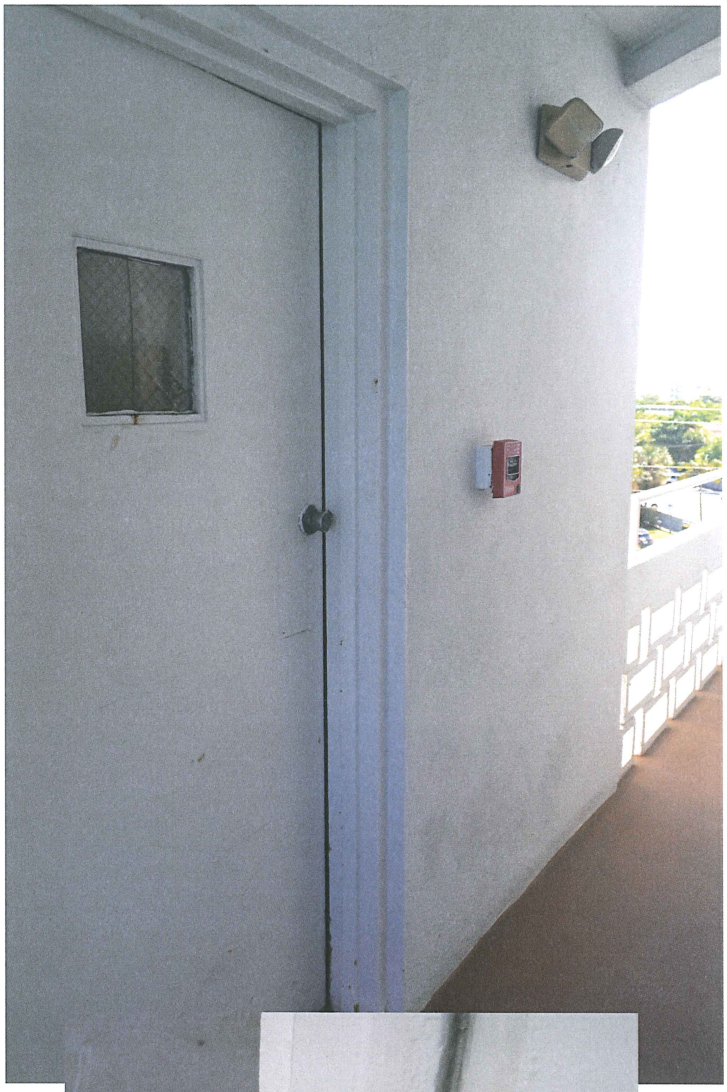




Meter Room and Telephone System







EXIT STAIR DOORS



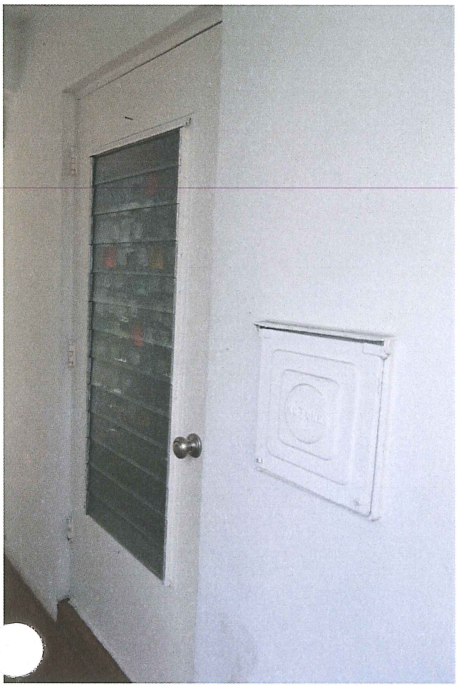




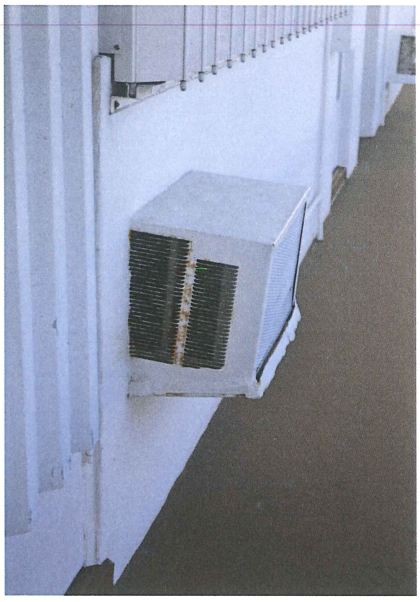


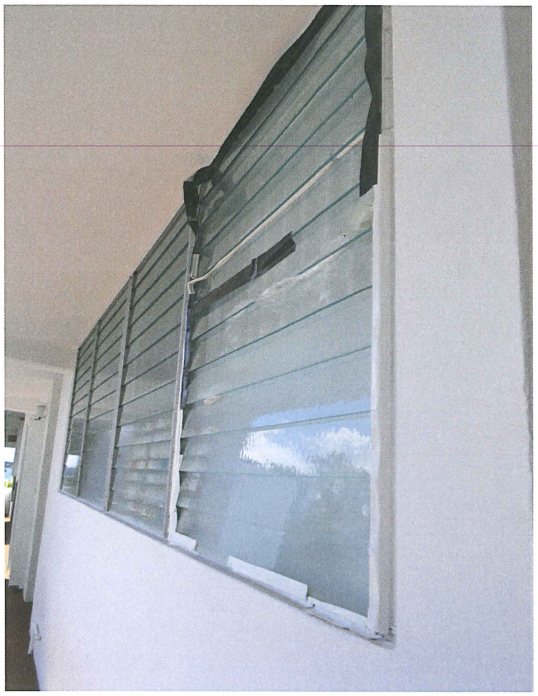


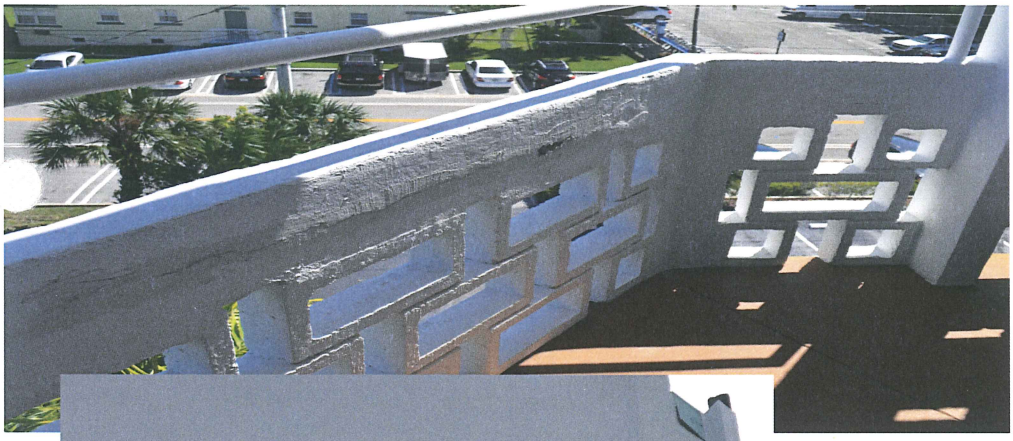
LIFE SAFETY: EXIT SIGNAGE, EMERGENCY LIGHTING, FIRE ALARM PULL STATION



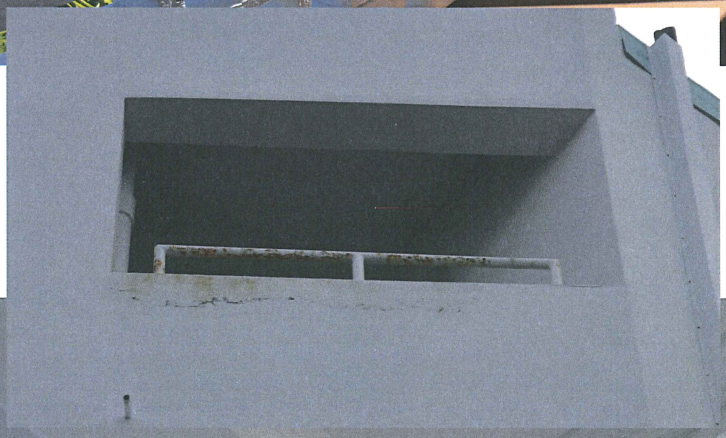
JALOUSIE DOORS/WINDOWS





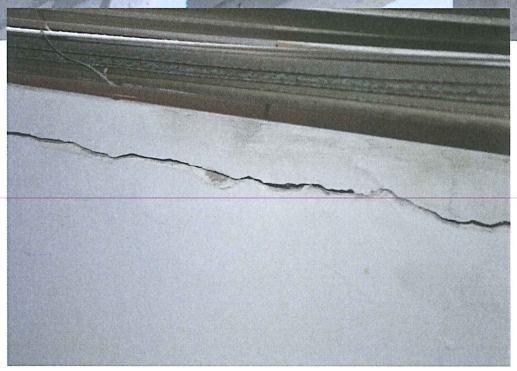


















ACCESSIBILITY

EXHIBIT 6

[redacted]WORLD INC.
Planning & Development Consulting
C/O Plaza Executive Center, 31 Ocean Reef Drive, Suite A-301, Key Largo FL 33037
joelreed55@gmail.com 404-403-2925

March 31, 2015

P3 Investments 1 LLC
Attn: Gaurav Butani
1101 Brickell Ave.
8th Floor
Miami FL 33134

RE: Analysis of Rental of Existing Structure vs. Redevelopment and Economic Hardship

Mr. Butani,

We analyzed the potential purchase price of the Bay Harbor Continental Inc. based on maintaining the asset as a rental property. In order to do so the building would need to be bought into compliance with life safety issues as well as a modest renovation to the interior of individuals units as recommended by your Engineers report. This analysis looked at the cost of renovations vs. the market potential for rentals of the units and what the market could potentially support based on current rental rates. The analysis assumed 85% occupancy, addressing life safety and modest upgrades to the units necessary to be able to market the units. Furthermore, based on available rentals (Zillow) One (1) bedroom units in Bay Harbor are renting from $1,000 to $1350 per month where two (2) bedrooms rent from $1500 to $2500.

Modest Renovation and Life Safety	$6.5 Million
Rentals -	
1 Bedroom - $1550 X 25 X .85	$32,937.50
2 Bedroom - $2500 x 10 X .85	$21,250
TOTAL	$54,187 Monthly ($650,250 Annually
Capitalization at 8%	$8,128,125
Potential Value as Rental	$1,628,125 or $46,518/unit
Potential Value New Development	$16,500,000 or $471,428/unit*
ECONOMIC HARDSHIP	**$424,910 PER UNIT OWNER**

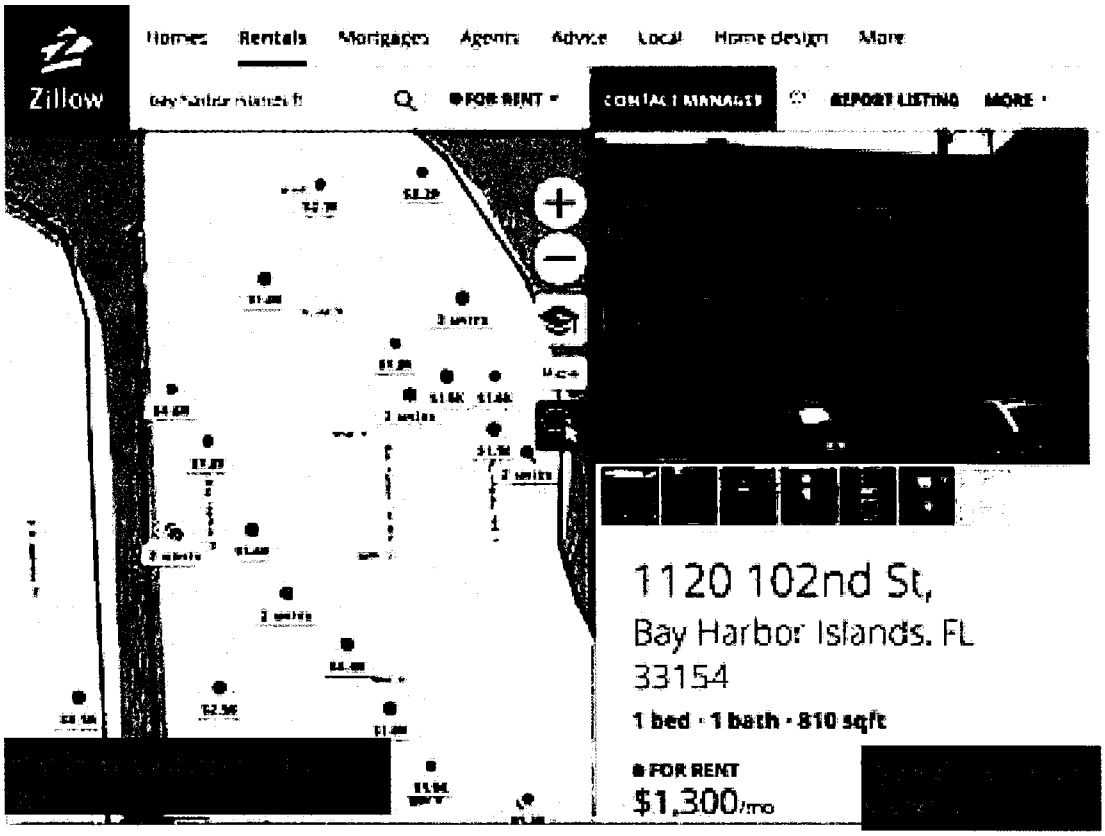
Sincerely,

Joel C. Reed

Joel C. Reed, AICP

*Based on contracted purchase price as provided by P3 Capital 1 LLC

[redacted] WORLD INC.
Planning & Development Consulting
C/O Plaza Executive Center, 31 Ocean Reef Drive, Suite A-301, Key Largo FL 33037
joelreed55@gmail.com 404-403-2925



*Based on contracted purchase price as provided by P3 Capital 1 LLC

EXHIBIT 7

Becky McIver
Bay Harbor Continental, Inc.
1135 103rd Street, Apartment F4
Bay Harbor Islands, Florida 33154
Email: Becky.McIver@gmail.com
Cellular: 305.772.4342

March 30, 2015

Dear Historic Preservation Board:

Please consider my request to withdraw your interest in designating Bay Harbor Continental, Inc. as an historic building. One year ago we made a decision to sell our building because most of us could not afford to maintain the property due to much needed repairs. I have been counting on the money from this sale to find more affordable housing. Designation of this building as historic will cause me great financial hardship as it is already interfering with the sale of Bay Harbor Continental, Inc. and we are incurring additional, unexpected legal fees.

Please do not proceed with historic designation of our building. Thank you for your time and consideration.

Sincerely,

Becky McIver

From: bzuck2007@yahoo.com
To: jk9785@aol.com, margie@gf55.com
Sent: 3/18/2015 7:33:30 A.M. Eastern Daylight Time
Subj: Re: New Meeting Notice

To The members of the Historic Preservation Board
My Name is Bill Zucker a unit owner at the Bay Harbor Continental and I ask you to seriously listen to what Im about to say
If you make this building historical you are literally putting me out on the street "Homeless"
I bought my unit over 10 years ago when I had a decent job and some money in the bank before the economy turned on us for the worse
About 2 years ago after losing my job I could no longer keep up with my mortgage and The growing maintenence charges on our building because it is seriously falling apart due to plumbing,electrical ,elevator and seawall issues
I decided I had nochoice but to sell my unit
At that time we had an offer on our building to sell and i signed the purchase and sale agreement..we were informed we would be closing June 6th of 2014
I had no money to pay bills and Knowing we were closing soon I took a second Balloon mortgage on my unit to catch up on my Bills expecting to pay it off on upcoming closing
due to delays in the closing I used all the money to live and have been counting the days just waiting for the Closing This APRIL 15th
I had to rent out my unit just to cover the 1st loan and to survive... and I had to rent another unit elsewhere.....I have since Lost my Car....I am 7 months behind on my rent and they have started the eviction process against me
I have been Struggling day to day to get to our closingApril 15th
If you make this building historical you are literally putting me out on the street Homeless
Every word I tell you is true and I beg you to Please consider what youre doing to our lives
the building is Falling apart and most of us unit owners are struggling just to pay off the old 200,000.00 assessment loan we took to fix the seawall and Balconies
keep in mind there are only 35 owners in this old building
Im sure there are buildings out there that would fit what youre looking for without destroying Lives
I plead with you to put yourself in our shoes before making the wrong decision
Thank you
Bill Zucker

unit B4

---------- Forwarded message ----------
From: Bill Zucker <bzuck2007@yahoo.com>
To: "jk9785@aol.com" <jk9785@aol.com>, "carlitos305@gmail.com" <carlitos305@gmail.com>, "management@scmcorp.net" <management@scmcorp.net>
Cc: "becky.mciver@gmail.com" <becky.mciver@gmail.com>, "creed.5@hotmail.com" <creed.5@hotmail.com>, "daniel.schweiger@bluewin.ch" <daniel.schweiger@bluewin.ch>, "dedegozlan@yahoo.ca" <dedegozlan@yahoo.ca>, "b.schweiger@bluewin.ch" <b.schweiger@bluewin.ch>, "Frankhgriffith@aol.com" <Frankhgriffith@aol.com>, "gswartz@taplin.com" <gswartz@taplin.com>, "gladlee@optonline.net" <gladlee@optonline.net>, "jagscharfer@aol.com" <jagscharfer@aol.com>, "freesspirit32@gmail.com" <freesspirit32@gmail.com>, "angelsforme5@gmail.com" <angelsforme5@gmail.com>, "hkwracing@atlanticbb.net" <hkwracing@atlanticbb.net>, "leonork2003@yahoo.com" <leonork2003@yahoo.com>, "lisa@lisaemann.com" <lisa@lisaemann.com>, "skiplez@aol.com" <skiplez@aol.com>, "mzm445@aol.com" <mzm445@aol.com>, "martin@taplin.com" <martin@taplin.com>, "m5748@aol.com" <m5748@aol.com>, "mirtaselva@att.net" <mirtaselva@att.net>, "monique_beaudet@yahoo.com" <monique_beaudet@yahoo.com>, "nysid94@yahoo.com" <nysid94@yahoo.com>, "cngroup@comcast.net" <cngroup@comcast.net>, "donegalpat@aol.com" <donegalpat@aol.com>, "peter70x7@gmail.com" <peter70x7@gmail.com>, "louisewoolley@sympatico.ca" <louisewoolley@sympatico.ca>, "sueolsenusa@gmail.com" <sueolsenusa@gmail.com>, "richard@scmcorp.net" <richard@scmcorp.net>, "jrkolbert@gmail.com" <jrkolbert@gmail.com>, "margie@gff55.com" <margie@gff55.com>, "nnehmad1@nyc.rr.com" <nnehmad1@nyc.rr.com>, "nancyvp34@gmail.com" <nancyvp34@gmail.com>

Date: Sat, 14 Mar 2015 20:32:51 +0000 (UTC)

Subject: Re: B.H.C. Meeting Notice note from Jeff

To the Association and all unit owners

I am putting on public record that I refuse to spend one penny on lawyers defending the fact that BHC has breached its contract for the sale to P3 when they bring Legal action against us for Breaking a perfectly legal and Signed Purchase and Sale Agreement and we end up in court
All monies to Lawyers defending against P3,RE Agents and individuals suing the association should come DIRECTLY out of the pockets of Carlos Delatorre,Lisa Mann and whoever else went behind our backs to sabotage our binding contract
Carlos lied to me directly while in position as the president of the association who has a LEGAL and Moral responsibility to be forthcoming,Honest and fullfiling the goals of the majority of unit owners
Thank God my Brother and my 2 best friends are powerful Lawyers that have been monitoring these deceptve practices over the last year and will be representing me if we dont close on April 15th
Im not sure about any other unit owners but if this sale doesnt close on April 15th I will be financially ruined because of these individuals and i will be holding them responsible

Knowing that we had a firm purchase and sale agreement in Hand I got a second balloon mortgage on my unit because I knew i would be paying it off last June 6th (the 1st closing date)
Because of the illegal and Deceptive practices of these individuals stalling the closing I am now over 6 months behind on my loan,my rent,etc at my new residence and I am about to lose my unit and will be "homeless"
Before it comes to this point I urge all the unit owners to unite and do whatever it takes to make sure we have the closing on April 15th

This Old decrepid Building is literally falling apart and will be needing so much work on electrical,Plumbing,elevators,seawall.etc that our maintenence payments will be through the roof
The time to act is NOW
Bill Zucker
Unit B4

3-30-2015

My name is Gervaise Facine

A member of Bay Harbour Continental Inc.
and reside in unit C5
I am a single woman of 73 year old.
I bought my membership. 23 year ago
to enjoy this unit, and also as an
investment for my retirement.

After 2 years of being in a process
to sell, we are now being told that the
Historic Board will put a moratorium
and stop this sale. I am surprised that
every body is talking about this
cheap painted glass & black concrete screen
and nobody is talking about our plight
and the fact that building is in poor con-
dition, has no modern amenities.

we have no funds put reserves.
Can barely keep up with on going
maintenance and on the contrary
we had to preserve this building
Who will compensate for our lost
sale, my life savings, and all the
stress and problems that we are
being put through.

The members who petitioned to for
are using you and dont care about
historic preservation.

The paper has shown genuine
concern to help us get most money
after taxes from our sales gave us
the time and extended closing for our sale

It is our property and we should be free to sell and not ask anybody for permission but I beg you to understand our situation.
May God bless You!

Gervaise Racine

GERVAISE RACINE
C5
Bay Harbor Continental
Tel: 305-864-0685

To Historic Preservation

Jeffrey Koster

1135103rd street

Bay Harbor Islands

Fl.33154 Apt F-1

3/30/2015

1of 2 Pgs

Miami Dade County Historic preservation board

Office of Historic Preservation

Stephen P. Clark Center

111NW 1sst St. -12th Floor

Re: Bay Harbor Continental- Hardship

Dear Chairman and Board Members,

This is a letter that I never thought I would have to write, and I am writing it with embarrassment, to individuals that I don't know.

I am a 70 year male living at the above address since 1986, 29 years. The first night I slept in this building was Christmas of 1958, the building was newly built, I was 13 and stayed with my Grandparents.

I have a long history with this building and I love living here.

In 1982 I was diagnosed with a brain tumor a 3" diameters portion of my scull was removed and I underwent 17 hours of surgery to remove the growth ,two days later the doctors realized that they did not seal the operation properly and they had to graft skin, this took 7 additional hours.

My grandfather taught me at a young age when you start to earn money, to accumulate wealth he said "If your need to buy a pair of shoes and you see a pair for $60.00 and a pair for $20.00 buy the less expensive pair Spend your money wisely and buy some real estate, a home that will grow in value. " I listened to him. I had a small business with a partner, and I am also an artist and was successful with the Sale of metal sculptures. I produced and sold in N.Y.C. ,and started to save money along with a small stock portfolio started for me by my Grandfather .He advised me to never sell the stocks and just keep reinvesting the dividends to buy more stock. I followed his instructions and the portfolio grew.

I am telling you this to illustrate how circumstances change. When I was young I thought if I did certain things life would work out, It doesn't work out, It just is.

In my prime I was hit with my surgery. Was in the hospital for a month and then nursed back to being able to walk without a cane. I was never able to go back full time to the foundry. Eventually my partner forced me to sell my share of the business for $85,000.00

I could no longer afford to live in New York City. I was told that living in Florida was cheap so I started looking for a place to live, I remembered my grandparents building .and found a unit on the ground floor for $32,500.00. The maintenance was less than what I was paying for parking my car. In the city. With my savings and the money from the buyout, and a small inheritance and living moderately I was able to get by. Circumstances change .Came 2007 with the crash of the stock Market, out of fear of losing

everything I sold my portfolio. Resulting in a gutting of my net worth. Finding myself in a situation similar to 1986 When I was so ill and lost my business. I started selling off my antique collection and other things to help pay for living. I have no children and live alone, I worry about how I will care for myself as I get older. That is the reason I need this sale to go through. As in New York I can no longer afford to live In this building, Besides from the maintenance at its current level and paying off the last lone we took out, money is tight. We only have 35 units. To split the cost of repairs and we will have an enormous lawyer's bill we will have to pay. I found a place to live at Point East in Aventura with a water view similar to what we have now the unit was $ 85,000.00 the maintenance is $250.00 a month and there are 1200 units to help pay the cost of repairs.

With my Social Security of $675.00 monthly the savings I have left and the money I would receive from the sale of this building I could get by. We are not getting rich from this sale. For my 10 shares I will get $250,000 or with tax mitigation $320,000.00 gross amount. The brokers have to be paid the lone paid off and the attorney's fees. I estimate about $38,000.00 .I was counting on the money from the sale to fund the balance of my life. The future scares me .My Mother is in an assisted living facility. Her upkeep is expensive, I try not to think about what it would be like being 75 or 80 and no money.

Of the three that signed the petition for historic designation Lisa Mann and Carla Reed do not live in this building. Clara lives In U.N Plaza N.Y.C. Although I was told she bought a house. Lisa has many corporations Drives a Ferrari and had her unit up for sale before the contract to sell the building. Carlos owns another apt. and has a good job with the county. Carlos Delatorre, Solomon Nehmad , and Clara Reed all signed the contract to sell . They all went behind our backs. I guess when you have money you lose sight of the fact that others are in need. Over %80 want to sell. The petitioners can afford the upcoming charges, I can't..

As for a private sale no one will pay for a unit 60 years old apt in bad repair and high assessments. We have no reserves .Please allow the sale to go through. And allow us to realize a return on our investments so we can continue to live, and not become a burden to our families and society. Please withdraw your demands. Allow us to proceed with the closing and sale.

Thank you for taking the time reviewing this letter

Sincerely

Jeffrey Koster

March 31, 2015

Miami Dade County Historic Preservation Board

Re: Bay Harbor Continental, Hardship

Chairman and Staff Members,

With the expectation of a closing on April 15th, 2015, I made plans to move my brother into a Memory Center for Alzheimers. He is only 70 years old and was diagnosed 9 years ago. Since our Mother died at 95 in May of 2014 he has declined rapidly. My Mother left her share of the apartment to me, with the understanding that I would take care of my brother. He has been living with her these past nine years.

Since May of 2015, I have spent over $17,000 in nurses for his care. I have recently hired an Elder Attorney to help me apply for VA Benefits and other Benefits to help pay for the exorbitant cost for his care. His fee was over $10,000. I have also made plans for his living arrangements at the Pacifica Memory Center. I need to give them a deposit to hold his room in the amount of $7000 this week. I have searched for over 8 months to find a decent facility for him and I have to go forward with this decision. The cost of this facility is $3750 per month and I need to private pay for 6 months to a year before benefits come into play. This could be up to $45.000 out of pocket. All of these expenses are documented and available for inspection.

My Mother and I, are part of the 86% who voted yes to sell. She was ill and needed aides to help her and that again was an enormous amount of money. We needed the proceeds of the sale to take care of mounting expenses for her and for my brother. Unfortunately she passed away but the expenses for my brother are a reality. This is a tremendous financial burden on me and me alone. I don't have this extra money needed for his care.

If the HPB deems this building Historic, I will have to sell but it will not be for what I could receive from the sale to a Developer. A private sale would give me half of what I expected.

Furthermore, I am genuinely concerned about future assessments and possible lawsuits for the interference of this contract. Who is going to buy my apartment with all of this taking place? Would you buy in a building with all of these issues? I know I certainly would not. I need this money now as I originally planned on.

My hardship is only one of many in this building. Not all are capable of speaking for themselves, but their needs are a reality not a fabrication. If your decision is to designate this building at this late hour just before our closing, you will devastate the lives of many elderly shareholders, all of whom were counting on this sale for their care in the last years of their lives.

Respectfully,

Kathleen Clark Weinstein

Unit A-4

HEIDI PFISTER
37 Highwood Road
East Norwich, NY 11732

March 31, 2015

Miami-Dade Historical Preservation Board

To Whom It May Concern:

I am writing on behalf of my father, Leo Schattlack, who has a condominium located at 1135 103rd Street, Unit G4, Bay Harbor Island, FL. My father, who is 75 years old, has been bravely battling Parkinson's Disease for the past 5 years. He resides in New York and requires help and assistance from his family.

Over the past few years, it has become increasingly difficult for my father to visit the Bay Harbor Island area since his mobility has diminished. All his doctors are located in New York and he needs to be able to see them on a regular basis.

In addition, the condominium will require extensive renovations which, at this juncture, does not seem feasible as the medication he is taking for the Parkinson's is quite costly. Since he resides in New York, he will not be able to oversee any construction work that needs to be done.

I implore the Preservation Board to please consider this hardship and allow the sale of this building to go through.

If you require any additional information or have any questions, please do not hesitate to contact me.

Sincerely,

Heidi Pfister

Sworn to before me this 31st day of March, 2015.

Notary Public

SHARON KEANE
Notary Public, State of New York
No. 01KE6072206
Qualified in New York County
Commission Expires April 1, 2018

Doc#: US1:9953982v1

II

America the Beautiful

sell the OLD building to investors who bided last year 2014 and gave us money in a escrow account.

Please reconsider the lives and ~~retirement~~ owners who will be effected by this

Respectfully,

Lillian Hart
C-2
Bay Harbor Continental

P.S. Also please note after the bid for 16.5 million last year I took a deep breath + said that the sale money + my $1,200.00 MO from Social Security will be my retirement.

Ms. Lillian Hart
1135 103Rd St., Apt. C2
Bay Harbor Is., FL 33154

The Beautiful

9/30/15

BHC - Board of Directors
Cmr. Robert Rockett - President

Dear Robert,

I was just notified by one of my neighbors that you would need for the attorneys this letter from permanent ~~red~~ residences.

I have been a permanent residence of Bal Harbor Continental for over the past 16 years. It would gravely hurt me financially if the Historic Assoc takes over my building.

As a Share Holder my history is 9 operations 2 cancers being a Veteran I have been working over 50 years to subsidies my income so that I was able to raise a son & take care of my Mother I'm not asking for someone to pay my bills.

All I'm asking is to let us

ebruary 26, 2015

Marjory L. Rossin
135 103 Street #5B
Bay Harbor Island, FL 33154
[illegible]

nd

0 Martin Road
Rye, NY 10580

Dear Historic Preservation Board:

While I am a devoted modernist who currently lives in two historically modern homes, I cannot support the move to designate 1135 103rd Street a Landmark.

Currently the building is in sad repair and does not fit into a designation as something that can be adaptively reused. The rooms are very small. The bathrooms do n
meet HC code. There isn't HC access in the building. Because of the structural system of the building where the load bearing walls are perpendicular to the façade
s impractical almost impossible to expand the units within the current footprint. Any attempt to renovate will ultimately ruin the very nature that the designation is
rying to protect.

The building is currently under contract for sale and a large deposit of over a million dollars is in escrow. A demolition permit has been applied for. To designate t
roperty at this point would amount to a financial taking and result in a serious financial loss for all the co-op owners. This would result in law suits and disruption

What you might not know is that the move to designate the building has been maliciously promoted by the co-op board president who has had a change of heart
egarding the sale. His motives have nothing to do with preservation. He will face a lawsuit and the building will be tied up in litigation for years. The current cont
endees are committed to completing the sale process. The co-op members followed the rules and procedures of the building's by-laws regarding the sale. An offer
was accepted, and as a Co-op we are ready to move forward.

The current co-op owners do not have the money to maintain the building and that is one of the reasons it is being sold. The building is deteriorating quickly.

I am troubled by some of the views that I have heard expressed at the public hearings. It is easy for one to vocalize a love of modernism but it's a different
ommitment to maintain a structure. As a member of DOCOMO and the wife of a prominent NY Architect, I have an expert understanding of the resources it wou
ake to bring my building up to today's living standards. It's unrealistic.

My husband and I live in a significant and award winning Historic Mid Century Modern of 1954 in Rye, New York designed by Ulrich Franzen. We carefully resto
and adapted it while adding an award winning addition. That is how the structure was saved from the Mc Mansion desire of another buyer. Because it was adapte
o a modern use.

We do not have the same situation here whereby a beautiful yet obsolete building can be adapted. The new building will be an expression of its time. The time for t
uilding has passed.

The financial burden the designation would impose by designation of your board would be devastating. We have already purchased another unit
t 9901 East Bay Harbor Drive/Harbor Park-currently under construction. BECAUSE BAY HARBOR CONTINENTAL HAD BEEN ON THE MARKET FOR A
LONG TIME ALREADY. WE IN CONTRACT. I PURCHASED MY OTHER UNIT AS 1135 103 Street PARCEL WAS FOR SALE.
DOES THE PRESERVATION BOARD PLAN TO COMPENSATE US ALL?

Thank you,

Marjory L. Rossin

Note,
I will be CC this letter
on every level up to
Federal.

From: redsock@sbcglobal.net
To: jk9785@aol.com
Sent: 3/30/2015 4:58:14 P.M. Eastern Daylight Time
Subj: Letter from Lon Zadeika

March 30, 2015

To Whom it May Concern,

I am writing you on behalf of my mother, Sofia Zadeika, owner of Apartment E-1 at 1135 103rd St, Bay Harbor Islands. She was in my constant care for two years until my own medical problems (I have severe heart problems that have resulted in my requiring multiple heart surgeries) made it impossible for me to provide her with all the help she needs. She is unable to live independently, so I was forced to move her into an assisted living facility. The turmoil revolving around the sale of this building has caused both of us undue stress. I am currently unable to work because of my health. I now find myself with not only my own bills and those for my mother's care, but also for the taxes, utilities, and association fees for this property that has been sitting vacant. Just when we thought this sale was finally going through, after years and years of hearing about it being for sale, a select few have decided to act on their own accord and reach out for historical protection. These few do not speak for me or my mother. This property is a great hardship for us and we align ourselves with the potential buyers. We signed the documents approving the sale and we stay by that contract. Please consider our situation in your decision.

Thank you,

Longin Zadeika

RECEIVED
MAR 3 1 2015
MIAMI-DADE COUNTY
OFFICE OF HISTORIC PRESERVATION

Affidavit of Maurice Kirksey

TO: Miami-Dade Historic Preservation Board

RE: Historic Designation of Bay Harbor Continental

Date: March 31, 2015

My name is Maurice Kirksey, and I live at 1135 103rd Street I am Leonor Kirksey's son. There has been much conversation about economic impact; therefore, I would like to take a moment to go through some numbers. I would like to emphasize our tax burden since Bay Harbor Continental is a cooperative property and subsequently has a different tax burden associated with it than, for example, a condominium would have.

The initial figure of $16,500,000 would have paid us around 40,000 dollars per share; however, we eventually found out that the real number was only half that amount. After stamp/surtax, broker commissions and attorneys' fees are taken out that amount is lowered by almost a million dollars. Other costs, such as mortgage value based taxes and withholdings for corporate expenses, reduce this almost an additional two million dollars. However, the most damaging cost will be that of our corporate federal income tax which will take out an additional $5,413, 765.00.

This tax would reduce our per share valuation by fifty percent to $20, 234, 22. With the average amount of money received at $242, 811 for a one bedroom, it would be nearly impossible to purchase a similar home in Bay Harbor where the average price for a one-bedroom is $316,000.

The economic impact of being forcibly displaced from their homes would be substantial as residents would receive below market value for their units. This is a classic case of gentrification by displacing residents to make way for a more affluent group. I implore the historical society to intervene on the behalf of this historic property, and its beleaguered full-time residents who are being forced out by self-interested parties looking to make some fast cash.

Dated: March 31, 2015

Maurice Kirksey

JORGE MARTINEZ
Notary Public - State of Florida
My Comm. Expires Nov 5, 2017
Commission # FF 068519

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing was acknowledged before me this 31st day of March 2015, by Maurice Kirksey, who is/is not personally known to me, and who produced Florida Identification Card as identification and who did not take an oath

NOTARY PUBLIC Jorge Martinez Printed Name of Notary Jorge Martinez

Scanned by CamScanner

RECEIVED
MAR 3 1 2015
MIAMI-DADE COUNTY
OFFICE OF HISTORIC PRESERVATION

Affidavit of Leonor Kirksey

TO: Miami-Dade Historic Preservation Board

RE: Historic Designation of Bay Harbor Continental

Date: March 31, 2015

My name is Leonor Kirksey, and I live at 1135 103rd Street, Bay Harbor Islands. I have been living at the Bay Harbor Continental since 1995. I bought this unit because it was in a beautiful historic building and had an excellent view of the bay I have been very happy in my unit which is in very good condition. I have never wanted to move because this apartment was my retirement home and because I don't think we should replace such a beautiful historic building. I voted "no" on all the offers to buy our property. I am seventy-two years old, and the stress of having to move to a new location would be great. I do not have two homes like the majority of the snowboards who are in favor of selling the building. If I lose my home and half of my profit to taxes, I would not be able to find the same kind of apartment on the island. This has been very stressful since we do not know where we would go This is my primary home. The loss of it is devastating to me as I am now being forced to relocate against my will with a much-reduced sum of money. Having our building declared historical would save the bay harbor continental as well as the livelihoods of seniors such as me who wish to stay in our homes. *

Dated: March 31, 2015

Leonor Kirksey

JORGE MARTINEZ
Notary Public - State of Florida
My Comm. Expires Nov 5, 2017
Commission # FF 058519

STATE OF FLORIDA

COUNTY OF MIAM-DADE

The foregoing was acknowledged before me this 31st day of March 2015, by Leonor Kirksey, who is/is not personally known to me, and who produced Florida Driver License as identification and who did (not) take an oath

NOTARY PUBLIC Jorge Martinez Printed Name of Notary Jorge Martinez

AFFIDAVIT of Lisa E. Mann

RECEIVED
MAR 3 1 2015
MIAMI-DADE COUNTY
OFFICE OF HISTORIC PRESERVATION

TO: Miami-Dade Historic Preservation Board

Re: Historic Designation of Bay Harbor Continental

Date: March 31, 2015

I am submitting this Affidavit in regards to the designation of the Bay Harbor Continental as an historic building. It is very important for me that this building obtains an historic designation. If this building was destroyed I would suffer an economic hardship. I have spent a considerable amount of money improving my unit. I have both an economic and emotional investment. This is a unique building which architecture and location cannot be replaced. I specifically choose this building six years ago due to its unique character, location and strong building structure.

Dated: March 31, 2015

Lisa E. Mann

STATE OF FLORIDA

COUNTY OF DADE

The foregoing was acknowledged before me this 31 day of MARCH 2015, by Lisa E. Mann, which is/is not personally known to me, and who produced FL DL [illegible] as identification and who did not take an oath.

NOTARY PUBLIC

ARMOGAN MANIKUM
Notary Public, State of Florida
Commission# FF 171355
My comm. expires Dec. 5, 2018

Armogan Manikum
Printed Name of Notary

3/31/2015

To the Historic Board

I Solomon Nehmad would suffer economic hardship as I have advanced cancer am 83 years old and could Not Replace my home with the amount given to me and difficulty of Moving,

Solomon Nehmad

KEVIN G. MORRIS
Notary Public - State of Florida
My Comm. Expires Jul 17, 2017
Commission # FF 036972
Bonded Through National Notary Assn.

3/31/15

Affidavit of Carlos De La Torre

To: Miami Dade Historic Preservation Board

Re: Historic Designation of The Bay Harbor Continental

March 31, 2015

I submit this affidavit in regards to the designation of Bay Harbor Continental as a historic building. Saving this building is very important to me as losing my home would cause economic hardship to me. I have invested substantial amount of money remodeling my unit along with time and effort. The building is solid, has very unique characteristics, open greenways, catwalks, and Mimo features that are beautiful and irreplaceable. I have also been looking around and have not been able to find an economical equivalent for the replacement of my home with all of its beauty.

Dated : March 31, 2015

Carlos De La Torre

State of Florida

County of Miami Dade

The foregoing was acknowledge before me this 31st day of March 2015 by Carlos De La Torre , which is/is not personally known to me, and who produced P436-101-66-460-0 as identification and who did not take an oath.

Notary Public Signature

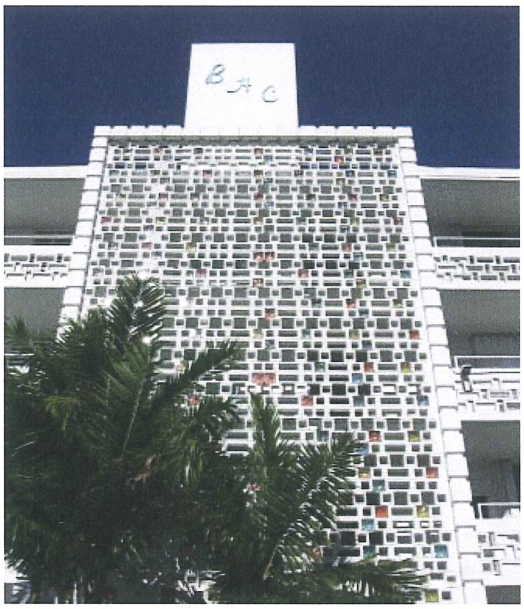
Robin Mims
COMMISSION # FF049891
EXPIRES: AUG. 29, 2017
WWW.AARONNOTARY.com

Printed Name of Notary

Designation Report

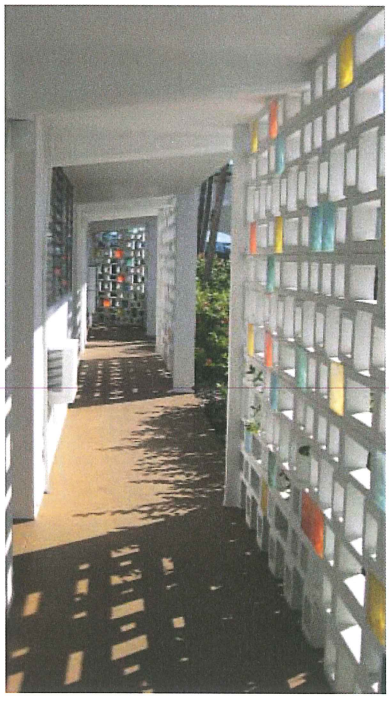
Bay Harbor Continental Apartments

Bay Harbor Islands, Florida
Built: 1958









Prepared by: Carlos J. Dunn & Sarah K. Cody

Miami-Dade County
Regulatory and Economic Resources Department
Office of Historic Preservation

April 15, 2015

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I. GENERAL INFORMATION.

NAME:	**Bay Harbor Continental Apartments**
LOCATION:	1135 103rd Street Bay Harbor Islands, Florida
ARCHITECT:	Charles F. McKirahan, AIA
YEAR BUILT:	1958
PROPERTY OWNERS:	See Appendix A: Property Information
TAX FOLIO NUMBER:	13-2227-026-0001
LEGAL DESCRIPTION:	BAY HARBOR CONTINENTAL CO-OP BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT
STRUCTURES:	Bay Harbor Continental Apartments is a distinct mid-century Miami Modern (MiMo) style building with 35 residential units, open grounds, a pool, and a small auxiliary building on the northern tip of the east island in the Town of Bay Harbor Islands. It is a five-story building with an irregular footprint and asymmetrical façade.
SIGNIFICANCE:	**History/Context**: Bay Harbor Continental Apartments is historically significant for its association with the architectural history and its reflection of the pattern of development in the Town of Bay Harbor Islands as well as providing a significant example of mid-century Miami Modern (MiMo) architecture. The Bay Harbor Continental Apartments fulfills: Criteria Sec. 16A-10(1)(a), *Are associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, South Florida, the State, or the Nation.*
	Architecture: Bay Harbor Continental Apartments is significant as an excellent, and exceptionally well-preserved, example of MiMo architecture. It's overall character and detailing contributes to the understanding of the architectural heritage of Bay Harbor Islands. Further, it is one of a limited number of extant works by Charles F. McKirahan, a recognized architectural master. The Bay Harbor Continental Apartments building fulfills Criteria Sec. 16A-10(1)(c): *Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction.*

IMPACTS:

The Miami-Dade County Office of Historic Preservation is required to approve any exterior changes and/or additions, demolition, or new construction to the designated resource.

Most approvals are handled in-house directly by the staff of the Office of Historic Preservation. Major alterations require approval by the County Historic Preservation Board.

Designated resources are eligible to take part in the County's Ad-Valorem Tax Exemption program, and are eligible for any historic preservation grants that may be available at the time.



Contemporary aerial photograph with property boundary outlined in red, circa 2015.

II. PHYSICAL DESCRIPTION & SETTING

The Bay Harbor Continental Apartments is located on the northern tip of the island. Built in 1958, the Bay Harbor Continental Apartments was constructed during Bay Harbor Islands' height of development. Other mid-century buildings are located nearby, notably the Bay Harbor Club next door and the Morning Star Condominium, across 103rd Street. The Bay Harbor Continental is a 35-unit, 5-story complex facing 103rd Street.

The building is laid out with an irregular footprint, forming a widened "L" shape. The distinct angle of the building layout was an integral part of the original design. This layout allows for maximum sunlight, breezes, and waterfront views for each individual unit. The layout of the building also defines an open courtyard, with each unit opening onto the central green space. The building is oriented at the southeast portion of the lot, with the courtyard occupying the rest of the lot. The spatial organization of this property works well with the previously constructed Bay Harbor Club, where the building is placed at the southwest property corner. Together, the two buildings enclose their two associated courtyards. Visually, the courtyards read as one open green space, though a fence separates the properties.

The primary façade fronts on 103rd Street. Here, the angled, asymmetrical façade features prominent architectural elements associated with distinct mid-century Miami Modern (MiMo) design. Concrete brise-soliel panels extend up the length of the building. Here, concrete blocks of various sized squares and rectangles are interspersed with colored glass blocks, providing shade and engaging light/shade patterns within the exterior corridors. Continuous stucco bands surround the panels, emphasizing the geometric pattern created by the individual concrete and glass blocks. Between the brise-soliel panels, concrete block is used to create a balustrade with a simple metal railing atop, providing additional safety.

On the eastern portion of the main façade, a pylon projects outward and above the roof line. The pylon features the same brise-soliel with open concrete blocks and colored class. The pylon is further emphasized with a continuous surround. Atop the building, centered on the pylon, is a solid projection, featuring the lettering "BHC," for "Bay Harbor Continental."

Other prominent features on the main façade include two rounded projections. These elongated projections enclose exterior staircases, providing access to the upper floors. The rounded walls are perforated by diagonal rows of square cutouts, emphasizing the geometric pattern of the brise-soliel and balustrade. These decorative features on the main façade also provide important functionality for the building. The concrete and glass brise-soliel provides respite from the intense sun, while the open blocks allow fresh air to flow through the exterior corridors. The cutouts on the staircases provide additional light and air.

The main entry is located on the eastern portion of the front façade, immediately south of the projecting pylon. A simple canvas awning provides additional shade. Original jalousie windows and doors remain in place on the primary façade.

The north and angled west façades face the central courtyard. These façades maintain their original design features. Tray balconies project off the building front. The balcony walls are formed by rectangular, open concrete blocks identical to the balustrade on the primary façade. On the ground level, open concrete blocks are used to create walls to one side of these exterior spaces. These blocks form a more amorphic shape and are set in double-width rows, with tall, narrow rectangular blocks extending between the rows.

The fifty-seven-year-old structure has remained intact and has suffered little or no transformation to its exterior design. The Bay Harbor Continental Apartments continue to reflect its original mid-century Miami Modern (MiMo) character. In addition to the overall design remaining intact, individual building features remain from the original

construction. The building maintains most of its original design elements such as the decorative railings, lush ornamentation, tray balconies, louver windows, original entry doors, decorative concrete and glass blocks of various sizes used to provide visual interest, and exposed cantilevered exterior walkways, among other elements.

III. HISTORIC SIGNIFICANCE

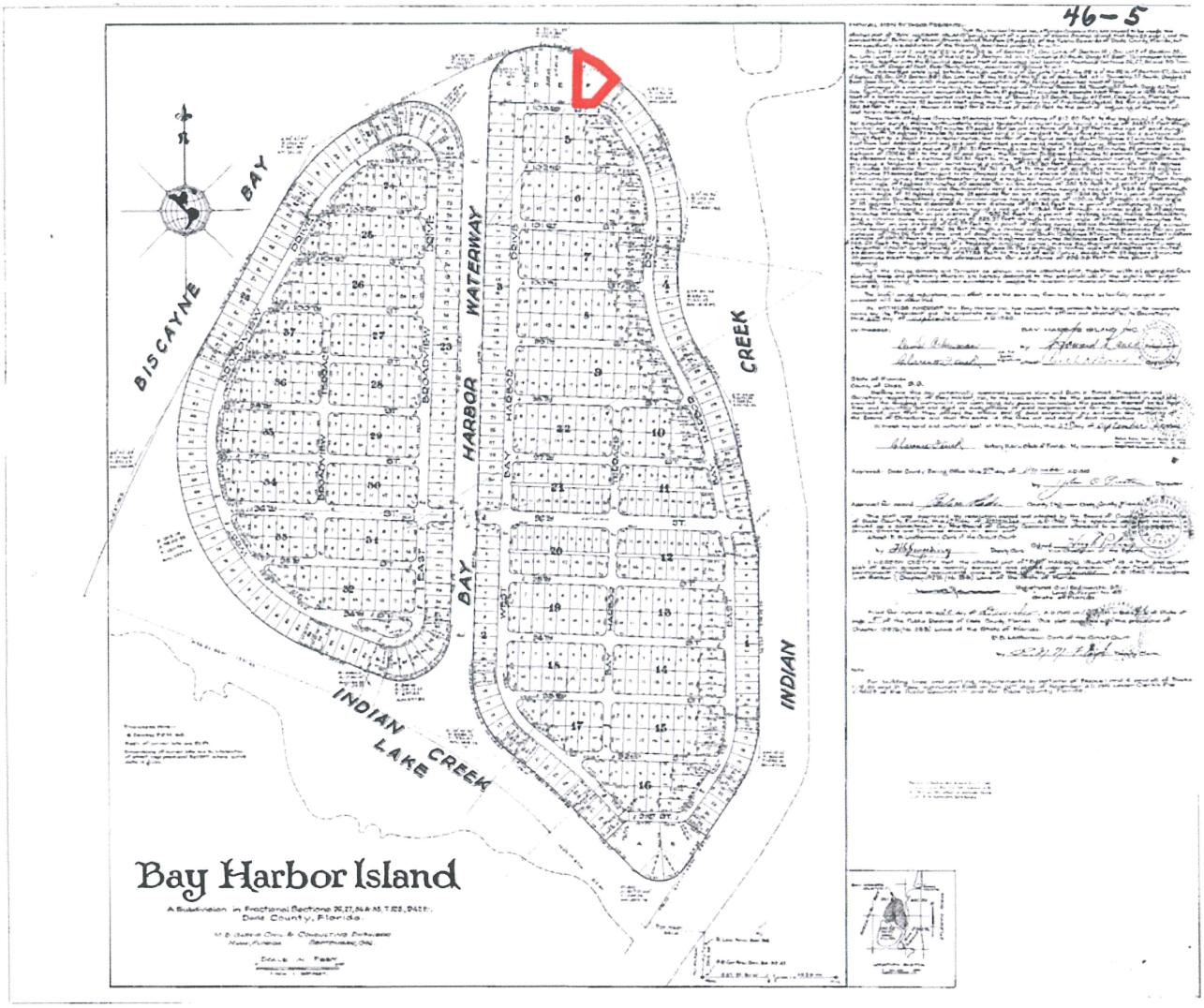
Bay Harbor Continental Apartments is historically significant for its association with the architectural history and its reflection of the pattern of development in the Town of Bay Harbor Islands as well as providing a significant mid-century Miami Modern (MiMo) architecture. While the building was constructed in 1958, it represents the pattern of development that Shepard Broad and his partner, Ben Kane, planned for Bay Harbor Islands twelve years earlier.

The Town of Bay Harbor Islands grew from the foresight of Shepard Broad, who came to America from Minsk, Russia in 1920. He practiced law in New York until 1940, when he brought his wife and family to live in South Florida. That same year, he was admitted to the Florida Bar and opened a law office in Miami Beach, where he founded the law firm of Broad & Cassel.

In 1945, Broad and his partner, Ben Kane, became interested in two undeveloped islands located in Biscayne Bay. Broad envisioned apartment complexes, single-family homes, and shops. He sketched the plans for Bay Harbor Islands, designing it in two sections: one for single-family homes and the other for multiple-family buildings.

Developed on 253 acres of mangrove swamp islands in Biscayne Bay, Bay Harbor Islands is located between the Indian Creek Waterway, Biscayne Bay, and Indian Creek Lake. The build-out followed the original plan devised by Shepard Broad, to have one island dedicated to single-family homes, and a second island for multiple-family buildings and a commercial area. As built, the Town is composed of the 103-acre West Island, which remains a single-family residential development, and the 150-acre East Island, which contains multiple-family dwellings and a modest business district. The East Island is composed of rectilinear blocks and a perimeter lined by waterfront multiple-family buildings. East and West Bay Harbor Drive encircles the island. Kane Concourse, the commercial strip, divides the island into a north and south section. The commercial concourse was named for Broad's business partner, Ben Kane. Broad also envisioned a dredged waterway, 150 feet wide, to separate the two islands.

To fund the development, Broad and Kane began selling lots on the east island. In just three months, April, May and June of 1946, they sold enough lots to fund the entire venture. In 1947, the Town of Bay Harbor Islands was incorporated. In 1953 the Florida Legislature chartered the present municipality and later that same year it was approved by the voters of the Town. Shepard Broad was elected the first Mayor of the Town and served in that position for twenty-six consecutive years until his retirement in 1973. He died on November 6, 2001 at the age of ninety-five.



Original plat map laying out Bay Harbor Islands with the property boundary outlined in red, 1946. (Courtesy Miami-Dade County.)

As part of his vision for the Town, Shepard Broad invited many of Miami's most prominent architects of the time to come to his new town and design buildings in the current architectural trends. The result was a concentrated collection of distinct mid-century modern buildings designed by some of Miami's most renowned architects.

The first building permit was applied for in June 15, 1947, marking the start of a period of intense development for the Town. Within four years, the Town's population had grown to 550 citizens living in 46 private residences. Also in 1947, the Legislature authorized the building of a causeway at 125th Street and Biscayne Boulevard. The $2.5 million road was completed in 1951, joining the islands with the mainland of northern Miami-Dade County. The bridge now carries the name of the Shepard Broad Causeway.



Aerial photograph looking south across Bay Harbor Islands, 1959. (Courtesy General Collection, Florida Memory, State Archives of Florida, Image # N045102.)



Aerial photograph showing Bay Harbor Islands, at right, with the then-recently completed Broad Causeway connecting the island town with the mainland, March 16, 1952.

IV. ARCHITECTURAL SIGNIFICANCE

The Bay Harbor Continental Apartments is significant as an exemplary representation of mid-century Miami Modern (MiMo) architecture. Because the height of development for Bay Harbor Islands happened during the mid-20th century, MiMo was the architectural style that came to characterize the Town of Bay Harbor Islands. Additionally, it is significant as the work of Charles F. McKirahan, a recognized master architect in South Florida.

Mid-century modern design embodied the Nation's ideals of progress and optimism, as Americans left the war behind and looked forward towards the future. Miami Modern, or MiMo, is Miami's unique interpretation of the national mid-century modern movement, adapted to suit the local climate. Pre-cast concrete screens boasted fun geometric patterns while sheltering residents from the intense sun. Cantilevered roofs were perforated with cut-outs where palm trees could stretch up to the open sky above. Open-air corridors and staircases brought people outside to take advantage of warm weather and balmy breezes. Exterior decoration evoked a sense of the tropical environment, using abstract forms in shades of sea green, and featuring representations of sea life, like mermaids, dolphins, seahorses, and seashells. The MiMo style defined a new architectural vocabulary that not only spoke to the novelty and futurism embedded in mid-century design, but that addressed functional concerns of living in the subtropical climate of Miami.

MiMo design was incorporated into a range of building types, from large hotels Fontainebleau and the Carillon, to apartment complexes, condominiums, office and commercial buildings, two-story motels, and single-family homes. Some of the most noted MiMo architects include Morris Lapidus (Fontainebleau and Eden Rock Hotels), Igor B. Polevitzky, Robert Law Weed, Gilbert Fein, and Charles F. McKirahan, among others.

The Bay Harbor Continental Apartments is an excellent example of MiMo architecture. The building incorporates important characteristics of the Miami-Modern (MiMo) architectural style, including:

a. Acute Angles
b. Asymmetrical facade
c. Lush ornamentation
d. Cantilevers (Projection that is unsupported at its projecting end)
e. Catwalks (Exposed cantilevered exterior corridors)
f. Decorative Concrete Blocks of various sizes used to provide visual interest
g. Decorative Railings
h. Exposed edges of concrete floors and walls projecting outward
i. Glass Mosaic Tile
j. Interior and Exterior Blending
k. Intersecting Planes
l. Jalousies
m. Ribbon Windows
n. Driveway drop-off area
o. Screen Block (Cast-concrete blocks)
p. Tray Balconies (Cantilevered balconies with concrete parapets)

Built in 1958, the Bay Harbor Continental Apartments was designed by Charles F. McKirahan, a prominent South Florida Architect of the mid-1950s and 1960s. Other works by this architect include: The Manhattan Tower Apartments (Ft. Lauderdale), Sunset Elementary School (Ft. Lauderdale), Bay Club Apartment Co-Op (Ft Lauderdale), the Coral Ridge Country Club, the Americana Motor Inn (Ft. Lauderdale) and the Castaways Motel in Miami Beach.

Charles Foster McKirahan was born in Tulsa Oklahoma on March 20, 1919. He studied at Oklahoma State University and obtained his B.S. in Architecture from the University of Illinois. He became licensed to practice architecture in the State of Florida, holding state license number 1700. In 1950, he became a member of the Broward County Chapter of the American Institute of Architects (AIA). In 1964, McKirahan was involved in a fatal car accident. He died at the age of 44 and was buried at the Fort Lauderdale Memorial park Cemetery.

McKirahan practiced as a licensed architect for less than 15 years before his sudden death; however his design prowess and legacy is impressive. He designed works in his distinct MiMo style throughout South Florida, and in the Caribbean. Though many of his works have been demolished, overall his work is recognized as some of the strongest examples of MiMo architecture in South Florida today. Some of his principal works include:

a. Manhattan Tower Apartments (1953), Ft. Lauderdale (Existing)
b. Sunset Elementary School (1954) Ft. Lauderdale
c. Bay Club Apartment Co-Op (1954) Ft. Lauderdale
d. Time Square Shopping Center (1955) Ft. Lauderdale
e. Coral Ridge Country Club (1955) FT. Lauderdale (Existing)
f. Cotton Bay Club Beach House (1955) British West Indies
g. Ocean Manor Apartment/Hotel (1956) Ft. Lauderdale (Restored)
h. Bay Harbor Club Co-Op Apartments (1956) Bay Harbor Islands, Florida (Existing)
i. Nassau Beach Hotel (1957) Bahamas
j. Breaker Tower Co-Op Apartments (1958) Ft. Lauderdale
k. Bay Harbor Continental Co-Op Apartments (1958) Bay Harbor Islands, Florida (Existing)
l. Quito Hotel (1960) Quito, Ecuador
m. Bayview Office Building (1960) Ft. Lauderdale
n. Point View Co-Op Apartments (1961) Miami
o. The Americana Motor Inn (1963) (Demolished)
p. The Castaways – Miami Beach (Demolished)



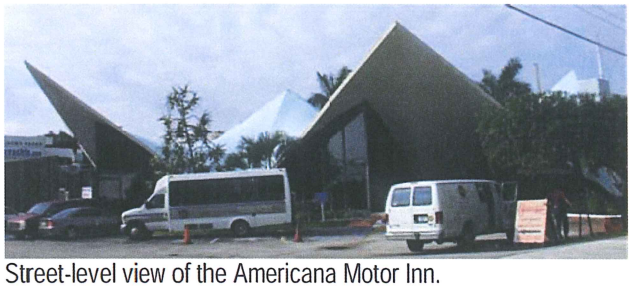
The Manhattan Tower, Ft. Lauderdale, 1950s.



The Manhattan Tower, Ft. Lauderdale, today.



The Americana Motor Inn, Ft. Lauderdale, designed by Charles McKirahan in 1963 and considered a rare hyperbolic concrete structure, was demolished in 2007.



Street-level view of the Americana Motor Inn.

The Bay Harbor Continental Apartments building embodies an architectural type that was part of the pioneering vision of Shepard Broad for Bay Harbor Islands. Because major development occurred in Bay Harbor Islands from the late 1940s through the 1950s, MiMo architecture came to define the distinct sense of place for the east island. Not only does it remain as an excellent example of MiMo architecture, but it is one of the extant works that came out of the truncated career of architectural master Charles F. McKirahan. Today, Bay Harbor Continental Apartments remains as an example of the defining character of Bay Harbor Islands.

V. CRITERIA FOR DESIGNATION

The Bay Harbor Continental Apartments, located at 1135 103rd Street, Bay Harbor Islands, is significant under the following criteria, as set forth in Section 16A-10 the Miami-Dade Historic Preservation Ordinance:

(a) **Criteria Sec. 16A-10(1)(a),** Is associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, south Florida, the State or the nation

(c) **Criteria Sec. 16A-10(1)(c),** Embodies the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinctions;

VI. STANDARDS FOR CERTIFICATE OF APPROPRIATENESS

Standards for Certificates of Appropriateness will follow the general guidelines as recommended for historic sites, as detailed in *The Secretary of the Interior's Standards for the Treatment of Historic Properties* as developed in 1992 and codified as 36CFR Part 68 in the July 12, 1995, *Federal Register* (Vol. 60, No. 133). However, ordinary maintenance and minor repairs will not be subject to review. Alterations to the interior of individual residential units will also not be subject to review.

VII. CONTRIBUTING FEATURES

The Bay Harbor Continental Apartments maintains a high degree of its historic integrity, with minimal alterations since its original construction in 1958. All exterior façades of the building are contributing resources, including the concrete and glass blocks, balustrades, pylon, rounded staircase enclosures, tray balconies, and associated concrete screen walls. Beyond the built structure, the central courtyard is integral to the historic character and setting of the Bay Harbor Continental Apartments. All features in the courtyard, including the overall spatial organization, visual relationships, circulation features, etc., shall be considered contributing features. Any proposed alterations to features that contribute to the significance and integrity of the Bay Harbor Continental Apartments require submittal of a Certificate of Appropriateness.

The interior spaces of individual condominium units are non-contributing resources. As such, alterations to these interior spaces would not require a Certificate of Appropriateness.

VIII. STAFF EVALUATION

Staff has performed site visits and research to better understand the historic context and existing character of the Bay Harbor Continental Apartments. Staff has determined that the Bay Harbor Continental Apartments, located at 1135 103rd Street, Bay Harbor Islands, meets the objective criteria for designation. This evaluation is based on the historic context and architectural qualities of the building, as it reflects the pattern of development and architectural history of Bay Harbor Islands; embodies the distinctive characteristics of mid-century Miami Modern (MiMo) architecture; and is one of a limited number of extant works by Charles F. McKirahan, a recognized architectural master.

IX. PROPERTY PHOTOGRAPHS



View looking north toward the eastern portion of the primary façade, which fronts on 103rd Street. The concrete and colored glass blocks that form the brise-soliel, balustrades, and projecting pylon are the primary features of this façade, 2010. (Miami-Dade County Office of Historic Preservation.)



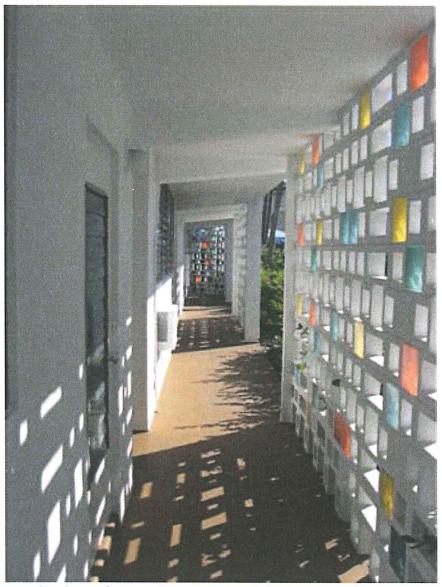
View looking south along the eastern portion of the primary façade, Here the brise-soliel gives way to the concrete block balustrades, 2010. (Miami-Dade County Office of Historic Preservation.)



Detail view of the projecting pylon, concrete surround, and concrete and glass block, 2010. (Miami-Dade County Office of Historic Preservation.)



Detail view from the ground floor exterior corridor. Here the concrete and colored glass blocks provide shade while allowing fresh air to flow through the corridor, 2010. (Miami-Dade County Office of Historic Preservation.)



Detail view from the ground floor exterior corridor. The concrete and colored glass blocks also provide visual interest by creating sun/shade patterns inside the corridor, 2010. (Miami-Dade County Office of Historic Preservation.)



View from the northeastern corner of the building, looking along the rear building façade and a portion of the courtyard. The different concrete panels used in the tray balconies and along the ground floor are evident at left, 2010. (Miami-Dade County Office of Historic Preservation.)



Detail view of the projecting tray balconies. The concrete block matches that used in the balustrades on the primary façade, 2010. (Miami-Dade County Office of Historic Preservation.)

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XI. APPENDIX A: PROPERTY INFORMATION

Address	Folio Number	Legal Description	Property Owner
1135 103 Street Unit A1	13-2227-026-0010	Bay Harbor Island PB 46-5 Lot F Less S11ft Bay Harbor Continental Inc – Co-op Apt A-1 12 Shares of 397 or 19937-4706 0301 1	Joan Carney 1135 103 Street Unit A1 Bay Harbor Islands, FL 33154
1135 103 Street Unit A2	13-2227-026-0080	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-2 13 SHARES OF 397 OR 14934-2721 0391 4 COC 23262-2091 08 1997 5	Robert & June Kolbert 40 St. Andrews Circle South Hampton, NJ 11968
1135 103 Street Unit A3	13-2227-026-0150	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-3 13 SHARES OF 397 OR 18863-2765-2767 1099 1	Patricia Cawley 1135 103 Street Unit A3 Bay Harbor Islands, FL 33154
1135 103 Street Unit A4	13-2227-026-0220	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT A-4 13 SHARES OF 397 OR 18331-1065 0998 1	Margaret Tavares & Kathleen Weinstein 1135 103 Street Unit A4 Bay Harbor Islands, FL 33154
1135 103 Street Unit A5	13-2227-026-0290	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT A-5 14 SHARES OF 397 DEATH CTF MELVIN 611285 (ILL) OR 19925-3961 1000 1	Peter Acosta & Pura Perez 1135 103 Street Unit A5 Bay Harbor Islands, FL 33154
1135 103 Street Unit B1	13-2227-026-0020	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT B-1 10 SHARES OF 397 OR 17914-206 TO 210 1197 6	June Lantz 1135 103 Street Unit B1 Bay Harbor Islands, FL 33154
1135 103 Street Unit B2	13-2227-026-0090	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT B-2 10 SHARES OF 397 OR 18131-1704 0598 1	David & Audrey Gozlan 1135 103 Street Unit B2 Bay Harbor Islands, FL 33154

1135 103 Street Unit B3	13-2227-026-0160	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT B-3 10 SHARES OF 397 OR 18270-3999 0998 1	Monique Beaudet 1135 103 Street Unit B3 Bay Harbor Islands, FL 33154
1135 103 Street Unit B4	13-2227-026-0230	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT B-4 10 SHARES OF 397 OR 19767-1445 0501 5 COC 21701-2867 09 2003 1	William Zucker 1135 103 Street Unit B4 Bay Harbor Islands, FL 33154
1135 103 Street Unit B5	13-2227-026-0300	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT B-5 11 SHARES OF 397 OR 16090-2207 0893 6	Marjory Rossin & Jeannette Gato 1135 103 Street Unit B5 Bay Harbor Islands, FL 33154
1135 103 Street Unit C1	13-2227-026-0030	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-1 10 SHARES OF 397 OR 19609-3913 04 2001 1 COC 22859-1737 10 2004 4	Richard & Susan Olsen & Maria Maldonado 1135 103 Street Unit C1 Bay Harbor Islands, FL 33154
1135 103 Street Unit C2	13-2227-026-0100	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-2 10 SHARES OF 397 OR 18621-4422 0599 1	Mark & Lillian Hart 1135 103 Street Unit C2 Bay Harbor Islands, FL 33154
1135 103 Street Unit C3	13-2227-026-0170	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-3 10 SHARES OF 397 OR 21107-2206 0203 1 COC 22195-3377 03 2004 5	Clara Reed 1135 103 Street Unit C3 Bay Harbor Islands, FL 33154
1135 103 Street Unit C4	13-2227-026-0240	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-4 10 SHARES OF 397 OR 11462-503 0682 1	Pascual Innamorato 1135 103 Street Unit C4 Bay Harbor Islands, FL 33154

1135 103 Street Unit C5	13-2227-026-0310	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT C-5 11 SHARES OF 397 OR 15490-2227 0492 1	Gervaise Racine 201 Ch des Cedres St. Anne Des Lacs Quebec J0R 1B0 Canada
1135 103 Street Unit D1	13-2227-026-0040	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT D-1 10 SHARES OF 397 OR 17098-2450 & 2452 0296 1	Salomon Nehmad 1135 103 Street Unit D1 Bay Harbor Islands, FL 33154
1135 103 Street Unit D2	13-2227-026-0110	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT D-2 11 SHARES OF 397 OR 19047-2696 19411-2046 0300 1	Michael Hartman 1135 103 Street Unit D2 Bay Harbor Islands, FL 33154
1135 103 Street Unit D3	13-2227-026-0180	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT D-3 11 SHARES OF 397 OR 16475-1574 0394 1	Frances Griffith 1135 103 Street Unit D3 Bay Harbor Islands, FL 33154
1135 103 Street Unit D4	13-2227-026-0250	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT D-4 11 SHARES OF 397 DEATH CTF ELIZABETH OR 19849-4218 COC 23953-2023 10 2005 4	Nydia Gonzalez Sarrain 1135 103 Street Unit D4 Bay Harbor Islands, FL 33154
1135 103 Street Unit D5	13-2227-026-0320	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT D-5 12 SHARES OF 397 OR 20084-4623 0901 1 COC 24152-0288 01 2006 1	Martin Taplin 1135 103 Street Unit D5 Bay Harbor Islands, FL 33154
1135 103 Street Unit E1	13-2227-026-0050	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-1 10 SHARES OF 397 OR 17393-1717 0996 4	Sofia Zadeika 1135 103 Street Unit E1 Bay Harbor Islands, FL 33154

1135 103 Street Unit E2	13-2227-026-0120	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC -CO-OP APT E-2 10 SHARES OF 397 OR 21697-39/41 09 2003 1	Adolfo & Amelia Beorlegui 1135 103 Street Unit E2 Bay Harbor Islands, FL 33154
1135 103 Street Unit E3	13-2227-026-0190	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT E-3 10 SHARES OF 397 OR 17667-0290 0597 5 COC 24156-3724 01 2006 1	Martin Marqulies 445 Grand Bay Drive Unit PH 1B Key Biscayne, FL 33149
1135 103 Street Unit E4	13-2227-026-0260	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-4 10 SHARES OF 397 OR 19904-0339 19999-4044 0801 5	Mirta D. Selva 1135 103 Street Unit E4 Bay Harbor Islands, FL 33154
1135 103 Street Unit E5	13-2227-026-0330	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT E-5 11 SHARES OF 397 OR 17519-0449 1296 1	Elizabeth & Richard Schmaeling 1135 103 Street Unit E5 Bay Harbor Islands, FL 33154
1135 103 Street Unit F1	13-2227-026-0060	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-1 10 SHARES OF 397	Jeffrey Koster 1135 103 Street Unit F1 Bay Harbor Islands, FL 33154
1135 103 Street Unit F2	13-2227-026-0130	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-2 10 SHARES OF 397 OR 14848-2928 1290 1	Edward & Pierrete Woolley 10195 St Denis Montreal H3L 2H9 Canada
1135 103 Street Unit F3	13-2227-026-0200	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC CO-OP APT F-3 11 SHARES OF 397 OR 21345-4291 04 2003 1	Louis & Sandra Lezama 1135 103 Street Unit F3 Bay Harbor Islands, FL 33154
1135 103 Street Unit F4	13-2227-026-0270	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-4 11 SHARES OF 397 COC 22272-1762 04 2004 4	Becky McIver 1135 103 Street Unit F4 Bay Harbor Islands, FL 33154

1135 103 Street Unit F5	13-2227-026-0340	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT F-5 12 SHARES OF 397 OR 18905-1006 1299 6	Leonor Kirksey 1135 103 Street Unit F5 Bay Harbor Islands, FL 33154
1135 103 Street Unit G1	13-2227-026-0070	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-1 14 SHARES OF 397 OR 13679-1604-1600 0588 1 COC 26529-3811/26529-3814 0708 5	Carlos de la Torre 1135 103 Street Unit G1 Bay Harbor Islands, FL 33154
1135 103 Street Unit G2	13-2227-026-0140	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC -CO-OP APT G-2 14 SHARES OF 397 OR 16727-3687 0493 1 COC 23112-3990 02 2005 5	Nancy & Scott Peters 1135 103 Street Unit G2 Bay Harbor Islands, FL 33154
1135 103 Street Unit G3	13-2227-026-0210	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-3 14 SHARES OF 397 OR 22828-2048/24557-0504 1104 1	John Timinsky & Lisa Mann 1285 NE 104 Street Miami, FL 33138
1135 103 Street Unit G4	13-2227-026-0280	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-4 14 SHARES OF 397 OR 12287-2899 0584 4 COC 22796-4491 09 2004 6	Leo Schattlack & Gladys Sharshon 330 Lagoon Drive Copiague, NY 11726
1135 103 Street Unit G5	13-2227-026-0350	BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT BAY HARBOR CONTINENTAL INC - CO-OP APT G-5 14 SHARES OF 397 OR 15967-1544 0693 1 COC 25661-1878 05 2007 1	DJS Bay Harbor LLC 459 Blue Road Coral Gables, FL 33146

XII. APPENDIX B: FUTURE DEVELOPMENT PLANS & ECONOMIC IMPACT

Based on the public comments and other information learned since the March 18, 2015 meeting of the Miami-Dade County Historic Preservation Board, the Office of Historic Preservation Staff provides the following analysis related to future development plans and economic impact. *See* Sec. 16A-10(III) of the Code of Miami-Dade County (stating that designation reports "shall take into consideration projected, proposed or existing public improvements and developmental or renewal plans").

Development Plans

The Bay Harbor Continental is a cooperative property that has been under contract for purchase since March 2014. The development group, P3 Real Estate, intends to purchase the building in its entirety, including all shares in the cooperative. With a closing date scheduled for September 2014, P3 hired an internationally renowned design team from Italy, Pininfarina. The design team set about to create a new development that would be high-end, with approximately 24 condominiums, each priced at a multi-million dollar minimum. Though the proposed 7-story building does not maximize the lot or density coverage that is allowable, it would require the complete demolition of the existing building. The new structure will cover more square footage than the existing building, leaving much less green/open space for future residents than is available at present. The Future Land Use Map from the Bay Harbor Islands Comprehensive Plan indicates that this property, along with the majority of the east island, is identified as being appropriate for medium-to-high density, allowing for 6-34 dwelling units per acre. Both the current building and the proposed building fall within this allowable density.

Economic Impact

In terms of economic impact, it is important to note at the outset that, generally speaking, designation of a property does not limit or regulate an owner's right to sell. Further, even after designation, there are many potential economic benefits associated with the historic designation of a particular property. For example, the Miami-Dade County Historic Preservation Code (the "Code") provides for an ad valorem tax exemption program, which offers tax benefits to owners of historically designated properties in connection with the redevelopment and preservation of existing structures. Owners of designated sites may also be able to take advantage of the Town of Bay Harbor Islands' own Transfer of Development Rights program, which, simply stated, allows property owners to sell, or transfer, their unused development rights to another property. The funds that result from the sale can then be reinvested in the continued maintenance and repair of the existing building.

Although such benefits can be substantial, the Code also recognizes that there may be special, unusual circumstances in which economic hardship allows the Board to vary or modify adherence to the Historic Preservation Ordinance. To that end, Staff has recently been presented with a great deal of public commentary and statements relating to economic hardship from the unit owners, developer, attorneys, and Town officials. Specifically, some unit owners have provided statements that they are depending on the sale of the building for their future costs of living. These owners have also indicated that they can no longer afford the costs associated with the on-going maintenance of the building, with some owners already behind in assessment and maintenance fees. On the other hand, other unit owners, particularly those petitioning the Board to consider historic designation, have indicated if the sale of the building goes through, they will be forced to sell their home and will not receive adequate sales profits to relocate to comparable waterfront property, resulting in their displacement from their home and community.

The developer has indicated that he has been in negotiations with the property owners for over a year, and that the current sales agreement was predicated on the mistaken understanding that any potential historic designation of the building was previously, and permanently, settled in 2010. The developer, who has spent

considerable amounts of money and resources on the project, specifically selected the Pininfarina design firm because he did not want to erect just another ordinary high-rise structure, as seen throughout the County and particularly in its urban core. Additionally, according to the developer, the original closing was set for September 2014, but was delayed by virtue of the developer's voluntary decision to work with the cooperative and its residents to resolve a tax issue. Indeed, just a week prior to the scheduled closing in September 2014, unit owners were purportedly made aware of a large corporation tax issue that would have significantly reduced the value of the sale, and the developer agreed to extend the closing until January 2015, in order to give the unit owners more time to find some solution to their tax issue. The closing has been extended again and is expected to take place in April 2015.

With investors on edge concerning the delays, the developer has indicated that if the building were to be designated, his development firm, P3, will not continue to pursue purchase and redevelopment of the property. However, the developer has indicated that he would be willing to incorporate some elements of mid-century design into the project, as a potential negotiated resolution that would allow the sale and project to go forward, while also attempting to pay homage to, and to honor, the current building's connection to the important MiMo architectural movement.

As laid out above, the issue of economic impact is clearly complicated, with varied and competing factors, viewpoints, and concerns at stake. Because, at this time, information regarding economic hardship has not yet been substantiated with documentation, it is difficult for Staff to fully analyze the matter. If such documentation or other evidence substantiating the claims of economic hardship noted above were to be presented for public hearing on the designation of the property, Staff notes that there may be a compelling basis for the Board to decide against designating the subject property. Prior to the public hearing, any claims of economic hardship must be substantiated in accordance with Section 16A-12 of the Code. *See* Sec. 16A-12(a) of the Code of Miami-Dade County (requiring submission of specified documentation and affidavit "at least fifteen (15) days prior to the public hearing" for any claim of undue economic hardship).

Mr. Robert Kolbert
President
Bay Harbor Continental Inc.
1135 103rd Street
Bay Harbor Islands, Fl 33154

Personal and confidential

In accordance to our proposal letter as of March 9, 2015 we are herewith submitting the report documenting our observations conducted on March 9, 2015 at Bay Harbor Continental building located at 1135 103 Street, Bay Harbor Islands, Florida

Areas Observed:

- Common areas; Roof, stairs, parking, recreational pool areas and sea wall.

- Apartments 2A, 2C, 4A 5C.

General characteristics:

- The construction of the building was performed in 1958
  Consisting of 35 (one and two bedroom) apartments.
- The subject is a 57 years old building, requiring major up-grades to comply with current up to date safety codes and standards.
- The Building stands below Base Flood Elevation.

Note: No construction plans were available.

Findings:

1. Built up roof needs replacement, leaks were reported, membrane adhesion to roof failures observed.
2. Exit stairs door do not shut properly to meet safety codes. Egress signage missing or damaged.
3. Insufficient water pressure in some of the apartments indicating old clogged and rusted plumbing.
4. Frequent waste stacks clogged were reported.
5. Parking drainage deficiency reported.

6. Glass jalousie windows are not air sealed and do not comply with energy codes and do not comply with current wind loads codes (safety issue). Water intrusion at multiple locations.
7. Balcony sliding doors not working properly.
8. Air conditioning units protrude into required egress width of corridors, presenting a safety issue and/or other accessibility issues.
10. Hand railings corroded and broken at several places.
11. Swimming pool leaks reported.
12. Floor cracks were noted due to possible hydrostatic pressure given below BFE structure.

Rising water levels anticipated in the future should be of important concern.

Cost analysis:

In the attached table it is our main objective to quantify the cost of refurbishing the building, exclusively addressing safety and the 11 fundamental issues mentioned above.

Notes:

The estimates provided are based on a one day observation trip and standard estimating techniques, and cost information you have provided and therefore no representation or warranty is given or implied as to the information or pricing that is presented.

*Even though no testing was performed, we can expect the presence of lead paint under the layers of paint or exposed in certain areas which constitutes a health hazard to the residents. Lead mitigation costs increase remodeling costs substantially, especially when the peeling method becomes an essential method and toxicity levels are high (regarding the disposal sites). In our experience when lead paint existence is detected, peeling mitigation method costs could be as high as $20,000 per apartment, without taking in consideration the relocation of residents, inconvenience. Encapsulation method, which is substantially less costly, is not recommended when partial demolition of surfaces is necessary to upgrade the rough-in plumbing and electrical items.

*Residents' relocation during construction is essential.

The partial repair cost estimates attached as Exhibit 1, focusing on the eleven (11) functionality issues cost analysis is further complicated by shared common elements (sanitary pipes, conduits ext.) will require that all unit owners must agree unanimously to the upgrade works to be performed.

As requested, our experience as contractors in the COMPREHENSIVE remodeling of 1,200 units built in the 1950s, the cost for the upgrade and remodeling of the Bay Harbor Continental units, including common areas would be in the range of $160,000 to $200,000 per unit with standard finishes.
Furthermore, a RESTORATION is a much more expensive and a difficult undertaking that will require a multi-level expertise and an in-depth detailed inspection. A basic estimate has been shown.

Emilio Fagundo
President
ERF Consultant Group

Exhibit A: Estimated Costs for Obsolete Functionality Items.
Exhibit B: Estimated Costs for Restoration

ESTIMATED COSTS

Bay Harbor Continental, 1135 103rd Street, Bay Harbor Island, Bay Harbor, FL

Category	Units	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Cost	Total Sub-Contractor Costs	Total Estimated
Demolition	Square Feet	7000	$7.00	$49,000.00		$0.00	$0.00	$42,000.00	$91,000.00
Structural Beams	Each	10	$2,500.00	$25,000.00	$500.00	$5,000.00		$0.00	$30,000.00
Portable Water Storage Unit	Units	10	$0.00	$45,000	$2,500	$25,000		$0	$120,500
Structural Steel Stock Erection	Allow	1	$0.00	$20,000	$2,500	$25,000		$0	$150,500
Electrical Wiring	LS	1	$0.00	$62,500		$0	$0.00	$62,500	$105,000
New Windows and Safety Doors	Units	10	$2,500	$250,000		$0		$0	$250,000
Wall Moisture Mitigation	Units	10		$0		$0	$2,000	$20,000	$70,000
New Metal Roof	LF	2000		$0	0.5	$100,000		$0	$100,000
Engineering & Permitting	LS	1		$0		$0	$0.00	$0.00	$10,000
Interior Painting	LS	1		$0		$0	$75,000	$75,000	$75,000
Local Team Members	Units	10		$0		$0	$2,500	$25,000	$250,000
Cooktop	Required But Not Estimated			$0		$0		$0	$0
Laundry Appliances	Required But Not Estimated			$0		$0		$0	$0
Dishwasher	Required But Not Estimated			$0		$0		$0	$0
Refrigerator	Required But Not Estimated			$0		$0		$0	$0
Cabinets	Required But Not Estimated			$0		$0		$0	$0
Ventilation	Required But Not Estimated			$0		$0		$0	$0
Other				$0		$0		$0	$0
Total				**$491,000**		**$281,000**	**$108,500**	**$949,500**	**$1,724,500**

Subtotal	$1,724,500
Contractor's Overhead	$103,500
Contractor's Profit	$155,250
Insurance	
Builder's Risk Insurance	$60,475
Performance & Payment Bonds	$103,000
Other Insurance	$3,650
Total Insurance	$167,125
Permits & Fees	
Total Permits & Fees	$560,000

Total Costs	$2,977,477
Total Relocation Costs	$560,000
Total Costs	$3,537,477
Cost Per Unit	$101,042

B. ESTIMATED COSTS OF COMPREHENSIVE RESTORATION*

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Unit Cost	Total Sub Contractor Cost	Total Estimated
Site Electrical works	Apts	35					$6,000	$210,000	$210,000
Mechanical works	Apts	35					$5,000	$175,000	$175,000
Site civil works	Apts	35					$5,000	$175,000	$175,000
Elevator	L.S	1					$300,000	$300,000	$300,000
Baths (2 bath units)	Apts	35	$6,000	$60,000			$2,000	$20,000	$80,000
Baths (3 bath units)	Apts	25	$6,000	$150,000			$2,000	$50,000	$200,000
Kitchens	Apts	35	$12,000	$420,000			$3,000	$105,000	$525,000
New doors	Apts	35					$1,000	$35,000	$35,000
Painting & Trim	Apts	35					$3,000	$105,000	$105,000
Flooring	Apts	35					$5,000	$175,000	$175,000
Sub-total costs									$1,980,000
Contractors overhead and profit									$934,600
insurances & bonds									$138,600
Sub-Total									$2,693,200
PLUS ESTIMATED COSTS OF OBSOLETE FUNCTIONALITY ITEMS									$5,936,477
Total costs									**$6,189,677**

* Restorations of buildings requires components manufactured by suppliers that may no longer be in existence or in the regular market, thus creating a cost uncertainty but undoubtly a substantial expensive products.

[illegible]



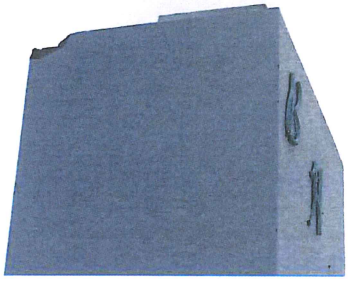


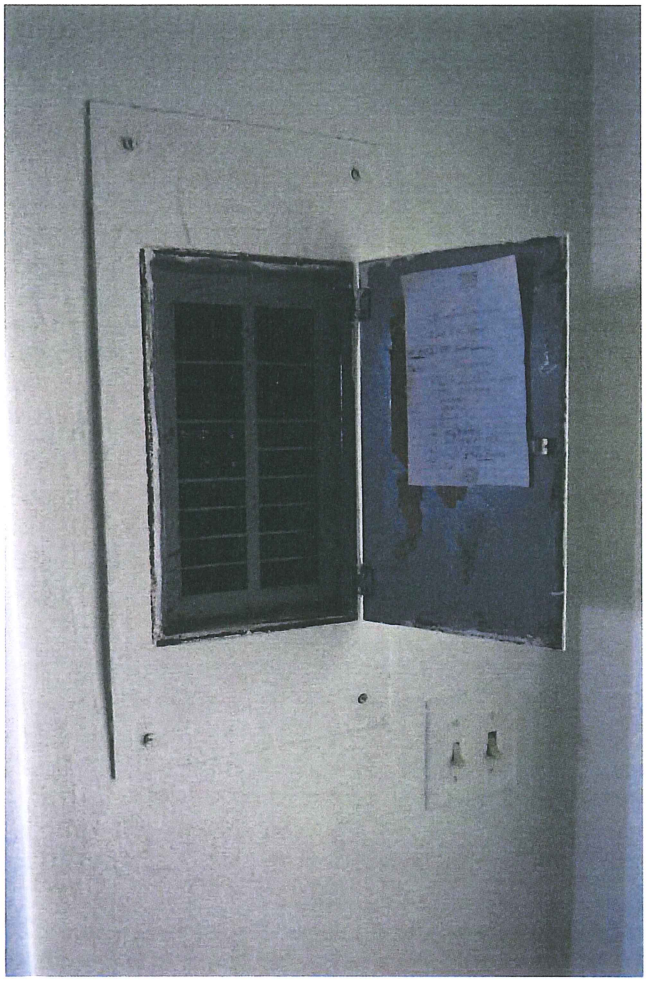
ROOF AREAS including vents, piping & AC condensing units

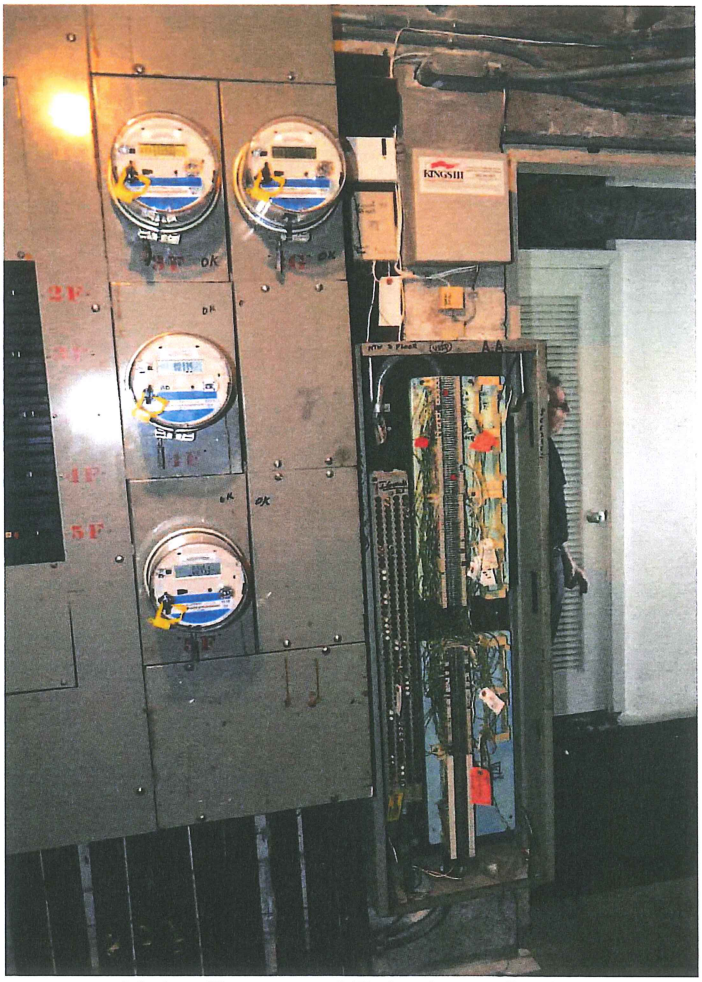




Abandoned water tower

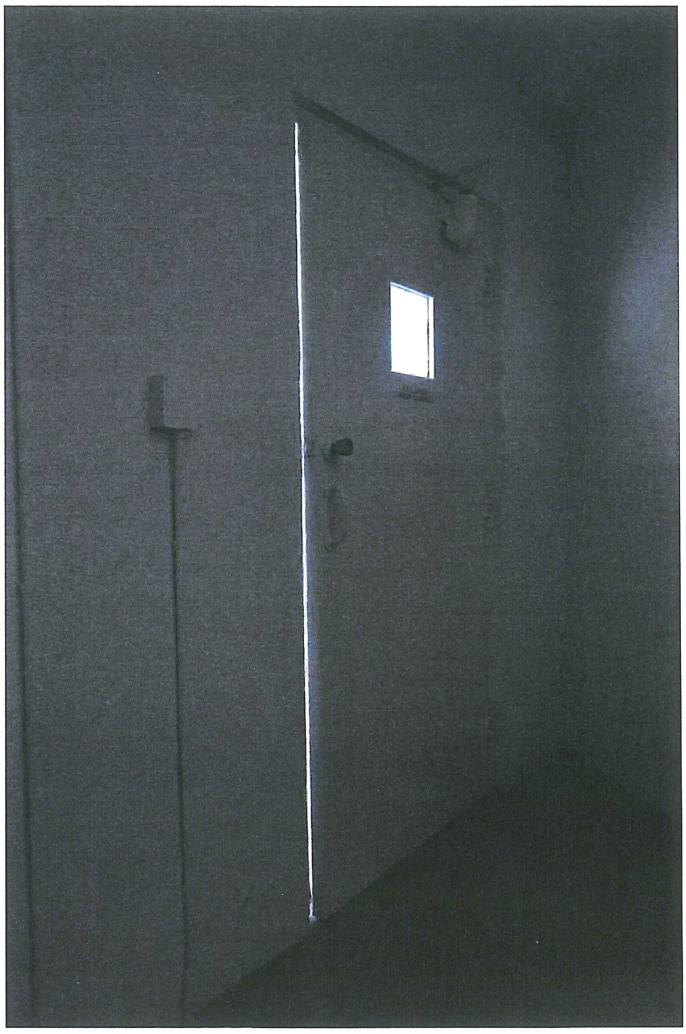


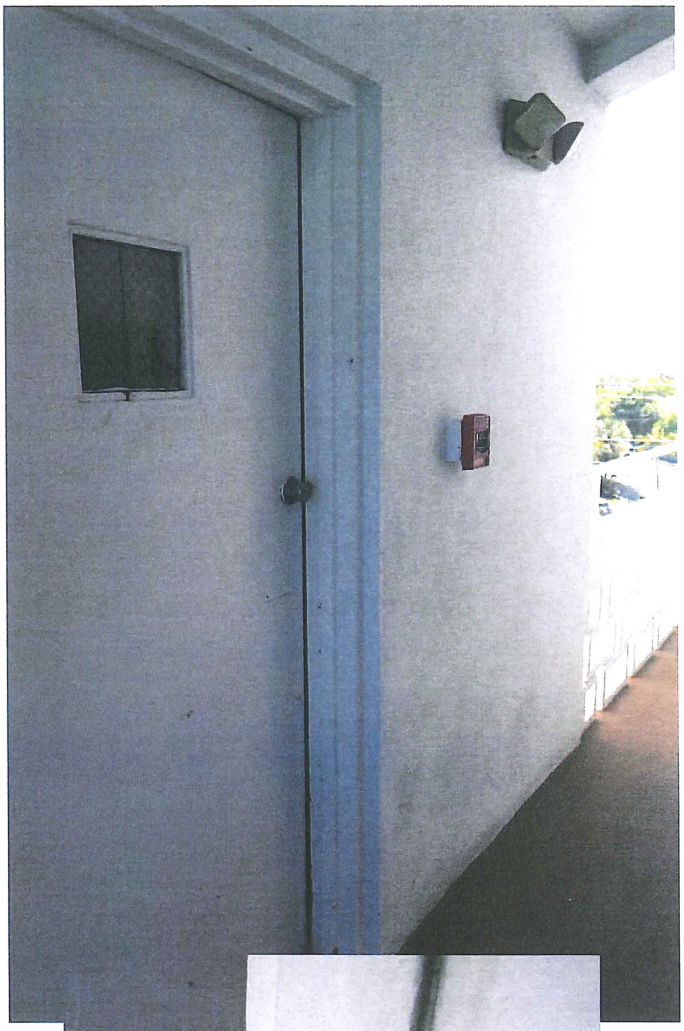




Meter Room and Telephone System





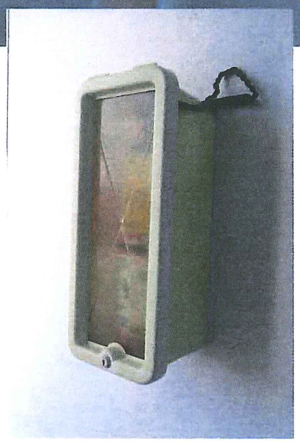


EXIT STAIR DOORS



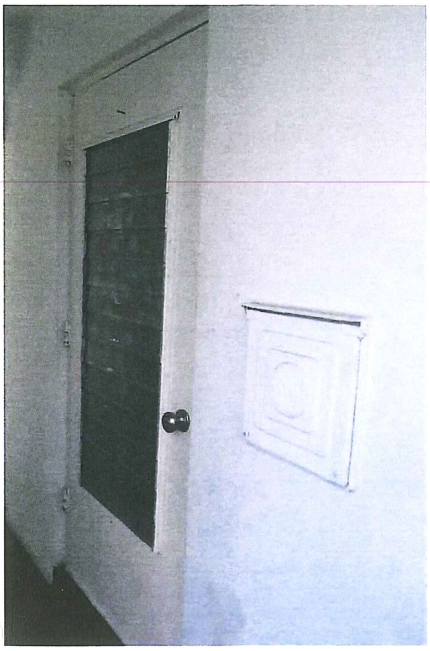








LIFE SAFETY: EXIT SIGNAGE, EMERGENCY LIGHTING, FIRE ALARM PULL STATION

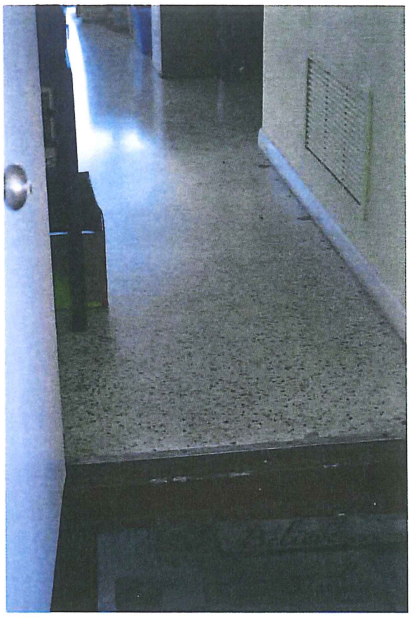


JALOUSIE DOORS/WINDOWS







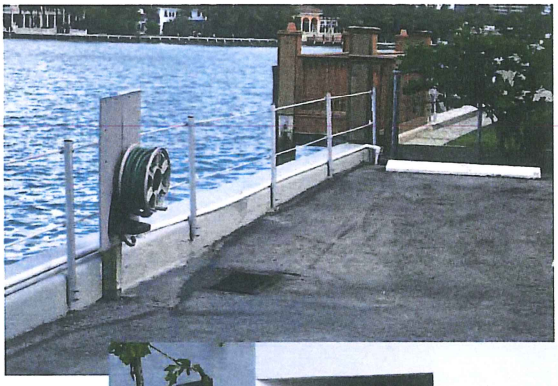


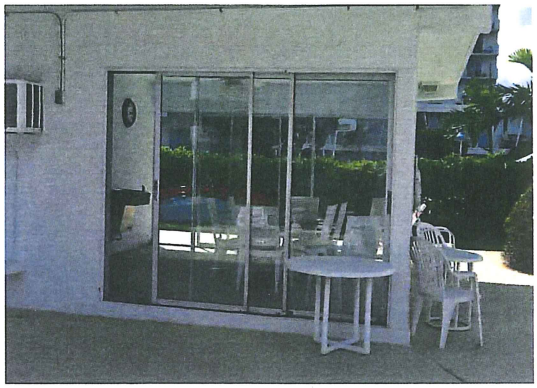














ACCESSIBILITY

EXHIBIT 6

ORDINANCE NO. 972

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S ZONING AND PLANNING CODE TO MODIFY CERTAIN CODE PROVISIONS RELATED TO THE RM-3 MULTIPLE-FAMILY DISTRICT; AMENDING ARTICLE I, SECTION 23-6 ENTITLED USE REGULATIONS TO DELETE BUSINESS AND COMMERCIAL USES FROM THE PERMITTED USE CATEGORY; AMENDING ARTICLE I, SECTION 23-11(D) ENTITLED LAND DEVELOPMENT REGULATIONS TO DELETE SUPPLEMENTAL BUSINESS AND COMMERCIAL SETBACK REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Bay Harbor Islands adopted the first Zoning and Planning Code for the community in June 1957; and

WHEREAS, the Town Council periodically studies various land development trends and issues, and considers strategies and design guidelines to encourage the proper re-development of lands within the Town, and amends the Zoning and Planning Code accordingly; and

WHEREAS, the Town has retained the services of urban planning professionals to study land development activities and land development regulations and to recommend strategies and/or Code modifications to address identified problems; and

WHEREAS, the Town Council desires to amend the Town's Zoning and Planning Code to delete Code provisions that allow business and commercial uses in the RM-3 Multiple-Family District, and

WHEREAS, a public meeting was held before the Local Planning Agency (LPA) for the Town which is charged with reviewing proposed modifications to the Town's Zoning and Planning Code; and

WHEREAS, the Town Council held duly advertised public hearings to consider the proposed modifications to the Town's Zoning and Planning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA:

Section 1: That the Town of Bay Harbor Islands Zoning and Planning Code is hereby amended to modify Article I, Sections 23-6 entitled "Use Regulations" to delete

Residential District; amending Article I, Section 23-11(D) entitled "Land Development Regulations" to delete supplemental business and commercial setback references in the RM-3 Multiple-Family district; as more fully set forth in the attached Exhibit "A", and by reference are made a part hereof.

Section 2: That if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 3: That it is the intention of the Town Council of the Town of Bay Harbor Islands, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Bay Harbor Islands' Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 4: That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5: That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

PASSED on First Reading this 8th day of December, 2014.

PASSED on Second Reading this 12th day of January, 2015.

MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Exhibit "A"

Amendments to the Town of Bay Harbor Islands Zoning and Planning Code

ARTICLE I. ZONING REGULATIONS

Sec. 23-6. - Use regulations, RM-3 district.

In the RM-3 Multiple Family Residential district, no building or land shall be used and no building shall hereafter be erected, constructed, reconstructed or structurally altered which is designed, arranged or intended to be used or occupied for any purpose, excepting for one or more of the following uses:

(1) Any use permitted in the RM-1 or RM-2 Multiple Family districts.

(2) ~~Such business or commercial uses as may be approved by the town council upon specific application therefor and upon the giving of specific permission therefor by the town council. Such accessory business~~ Allowable residential uses shall not be construed to include hotels, motels, condo-hotels, and interval ownership (timeshare) units, ~~bars or nightclubs open to the general public. The town reserves the right to regulate the types of business uses, the hours of operation, screening, off-street parking provisions, signage and the location of such uses within the site/structure.~~

Sec. 23-11. - Land development regulations.

In all area districts hereinabove set forth and designated, there shall be front, rear and side yard setbacks provided for of not less than the dimensions specified, and other land development standards, as follows, to wit:

(D) RM-3 Multiple Family Residential district.

Purpose. The purpose of the district is to provide appropriate land development regulations for the large waterfront properties (tracts A—F) located on the northern and southern tips of the eastern island of the town. As the platted lots are considerably larger than other multifamily sites in the town and abut wide waterways surrounding the island where no adjacent development occurs, the regulations reflect appropriate development criteria.

(1) Front yard setback (street frontage). All lots shall have a minimum front yard (street) setback as follows:

(a) Buildings up to 30 feet in height—Twenty feet.

(b) Buildings up to 45 feet in height—Twenty-five feet.

(c) Buildings up to 75 feet in height—Thirty feet.

(d) For buildings over 75 feet in height as approved under subsection (11) below the front setback dimension shall be negotiated during the site plan process, but shall not be less than 30 feet.

(2) Rear yard (waterfront) setback. All lots shall have a minimum rear yard (waterfront) setback of 20 feet.

(3) Side yard setbacks. All lots shall have minimum side yard setbacks as follows:

(a) Buildings up to 30 feet in height—Twenty feet.

(b) ~~For each additional three feet of building height above 30 feet, there shall~~

~~(4) Supplemental business and commercial setbacks. In the event application shall be made to the town council for permission to provide a business or commercial use pursuant to the provisions contained in section 23-6, then, in such event, the town council may require an increase of the side yard setbacks to ensure adequate separation and buffering of incompatible land uses occurs. In no event shall an increased side setback required by the Town be greater than twice the normal required side setback.~~

~~(5)~~ (4) Flex setbacks. A project designer has the option to offer creative design solutions to the building configurations and the planning and zoning board may allow portions of the building structure to encroach into the setback requirements stated above. The total amount of encroachment shall not exceed one-third of the allowable width or length of the building. This provision shall serve to create an architectural opportunity for creative design approaches while promoting the beneficial purposes of building setbacks in the district. In no case shall any portion of a building encroach into the base building setbacks set forth above for portions of the building below 30 feet in height.

~~(6)~~ (5) Maximum building length. The maximum overall length of any single building in a linear shape with no breaks or angles greater than 15 degrees facing parallel to a street frontage shall not exceed 260 feet, except as hereinafter provided.

~~(7)~~ (6) Maximum building length/breezeways. A building may exceed 120 feet in length if breezeways, divide such building, except for common floors and roofs, into parts not exceeding 120 feet in length. Such breezeways shall have a minimum unobstructed width, completely through the building, of 20 feet. Notwithstanding the above, this provision shall not apply to buildings less than 45 feet in height. The Planning and Zoning Board may modify the application of this requirement for townhouse development or in instances where enhanced architectural articulation and detailing is provided on the building façade to break the massing of the building. A breezeway is not required on a building constructed on a single platted lot. For the purpose of this section platted lots are those depicted on the subdivision plat of Bay Harbor Island recorded in Plat Book 46, at Page 5 of the public records of Miami-Dade County, Florida.

~~(8)~~ (7) Minimum distance between structures. The minimum distance, unobstructed, between buildings on a lot, plot or parcel of land shall be 20 feet; however, such buildings may be connected by a covered ground level walkway which must be open to the sides.

~~(9)~~ (8) Maximum building coverage. The maximum building coverage of any lot shall not exceed 40 percent of the plot area for all principal structures. If an elevated parking garage structure is provided the combined total of all building coverage shall not exceed 60 percent of the plot. An elevated parking garage shall not include any living quarters, meeting rooms or recreational facilities. See section 23-1 for the definition of building coverage.

~~(10)~~(9) Maximum building height. No building shall exceed 75 feet in height, unless otherwise approved by the town residents and town council in accordance with section 86 of the Town Charter, but in no case more than 120 feet in height, which includes the primary building, parking garage or any other accessory structure, but does not include rooftop mounted structures as defined in subsection 23-12(11). The town council reserves the right, as part of any consideration to allow a building to exceed 75 feet in height, to require site plan modifications, project mitigation and/or tradeoffs (including but not limited to off-site improvements, on-site improvements, pedestrian walkways, enhanced view vistas to adjoining waterways, etc.)

maintaining the roof surface in an attractive manner. The use of flat roof decks for on-site recreational facilities is encouraged, including the use of landscape materials for aesthetic and environmental "greenhouse gas reduction" purposes. If a flat roof deck is utilized for parking or recreational purposes, a minimum of 15 percent of the area used for such purposes shall be landscaped. For the purposes of this section the term landscaping shall not include swimming pools, decks, patios or other impervious surfaces.

~~(12)~~(11) Landscape requirements. Each plot shall provide for a minimum of 20 percent landscaped "green" open space at ground level. An applicant shall be required to submit a detailed landscape plan to the town for consideration at the time of site plan approval. Trees shall be provided to provided shade and accentuate the building design. Shrubs shall be provided as foundation plantings, to screen mechanical equipment and as buffering to adjacent properties. The plan shall be sensitive to surrounding properties and shall be utilized to enhance the subject property.

~~(13)~~(12) Maximum allowable density. The maximum allowable base density is 34 dwelling units per acre. The maximum allowable overall density (includes base density/TDR units) is 80 dwelling units per acre. If the Town approves a development with a height exceeding 75 feet in accordance with the Town Charter provisions, the maximum density shall be as determined at the time of Site Development Plan/TDR approval. Partial units below one-half are rounded down to the nearest whole number. Individual project density may be increased on a case-by-case basis only through the process described in Chapter 23.

~~(14)~~(13) Interpretation of side lot lines. Side setbacks shall be regarded as those setbacks other than ones abutting streets and water.

~~(15)~~(14) Vested rights. Notwithstanding the above regulations, for those developments existing as of December 10, 2002, when section 86 of the Town Charter was approved by the town voters that established a maximum building height for any new building of 75 feet, the existing residential density, building height, lot coverage, building setbacks and other land development regulations are vested and may continue so long the owners elect to maintain the development as originally approved. If the existing development is damaged by a natural disaster, fire or flooding to the extent of 50 percent or more of the assessed value of the building improvements when the damage occurs, and the owners voluntarily elect to demolish and rebuild the project, the subsequent new development shall comply with all current land development regulations, except existing building height and residential density, which shall continue to be vested without the need to acquire TDR units. However, in no event shall the new development be greater in density or height than the development being replaced, unless TDR units are acquired or pursuant to section 86(1) of the Town Charter.

~~(16)~~(15) Parking garage structures. For any redevelopment of an existing RM-3 site after the effective date of Ordinance No. 907, not less than 90 percent of the required parking spaces shall be contained within a fully enclosed parking garage structure. The portion of a parking garage structure above finished grade shall be substantially screened from view from adjoining roads and adjacent properties. This shall not prohibit the parking garage structure driveway openings from being visible from an adjoining street. The exterior building façade of any parking garage structure not substantially screened by earthen berming, planters and adequate landscaping materials shall incorporate the same architectural features and elements on the main building façade to disguise the parking garage structure.

- **Sec. 18-22. - New construction and rehabilitated structures. [UTILITIES]**

(a) All new construction including but not limited to single-family residences, multiple dwelling units and commercial properties shall be required to install underground service facilities.

(b) When a structure undergoes rehabilitation wherein the cost of the rehabilitation is 50 percent or more of the assessed value of the existing structure as determined by the Dade County Property Appraiser's Office, utility service facilities for that structure shall be converted from overhead to underground.

(Ord. No. 571, § 1, 5-8-95)

- **Sec. 7½-27. - Specific standards. [BASE FLOOD ELEVATION REQUIREMENT]**

In all A-zones where base flood elevation data have been provided (zones AE, A1-30, A (with base flood elevation), and AH), as set forth in section 7½-4, the following provisions, in addition to those set forth in section 7½-26, shall apply:

(1) *Residential construction.* All new construction and substantial improvement of any residential buildings shall have the lowest floor, including basement, elevated to no lower than base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, there must be a minimum of two openings on different sides of each enclosed area sufficient to facilitate automatic equalization of flood hydrostatic forces in accordance with standards of subsection 7½-27(3).

estimated cost of $255,000 to rehabilitate the entire building plumbing and building electrical systems has been considerably underestimated.

Based on our observations and review, the estimated cost by ERF, a magnitude estimate to adequately address the issues could add up to an additional one and a half to $2 million to the estimated costs.

Thank you.

MR. KASDIN: So, therefore, in order to bring this building up to code in terms of life safety, city code, ADA and all the other required flood requirements, you're looking at an $8 million plus cost to be spread amongst 35 shareholders.

I'd like to ask Ron Wasson, Town manager, who's heard the scope of work that is required to bring this building into adequate shape, and ask him about the additional requirements imposed on the Town as a results of that.

Mr. Wasson.

MR. WASSON: Good afternoon. Ron Wasson.

As regards to the code, anytime that a structure is more than 50% of the assessed value is done to a building, the building would have to be raised to flood elevation. And that goes with any construction or renovation of the property.

MR. KASDIN: Now, further with respect to the economic hardship, I would like to ask Joel Reed to come forward, tell his credentials and to discuss the unfeasibility of renovating the building versus what it could get in the market if it was renovated. Joel's resume is in your Tab 5. And his testimony, as you will see, is it's economically unfeasible to renovate the building.

Joel.

MR. REED: Joel Reed of RC3 World, My address is 30 Ocean Drive, Key Largo, Florida. I'm an urban planner, designer for 14 years. I've done development consulting, master plans, comprehensive plans in Florida, in Georgia as well.

I looked at this building as far as

Mr. Robert Kolbert
President
Bay Harbor Continental Inc.
1135 103rd Street
Bay Harbor Islands, Fl 33154

Personal and confidential

In accordance to our proposal letter as of March 9, 2015 we are herewith submitting the report documenting our observations conducted on March 9, 2015 at Bay Harbor Continental building located at 1135 103 Street, Bay Harbor Islands, Florida

Areas Observed:

- Common areas; Roof, stairs, parking, recreational pool areas and sea wall.

- Apartments 2A, 2C, 4A 5C.

General characteristics:

- The construction of the building was performed in 1958
  Consisting of 35 (one and two bedroom) apartments.
- The subject is a 57 years old building, requiring major up-grades to comply with current up to date safety codes and standards.
- The Building stands below Base Flood Elevation.

Note: No construction plans were available.

Findings:

1. Built up roof needs replacement, leaks were reported, membrane adhesion to roof failures observed.
2. Exit stairs door do not shut properly to meet safety codes. Egress signage missing or damaged.
3. Insufficient water pressure in some of the apartments indicating old clogged and rusted plumbing.
4. Frequent waste stacks clogged were reported.
5. Parking drainage deficiency reported.

6. Glass jalousie windows are not air sealed and do not comply with energy codes and do not comply with current wind loads codes (safety issue). Water intrusion at multiple locations.
7. Balcony sliding doors not working properly.
8. Air conditioning units protrude into required egress width of corridors, presenting a safety issue and/or other accessibility issues.
10. Hand railings corroded and broken at several places.
11. Swimming pool leaks reported.
12. Floor cracks were noted due to possible hydrostatic pressure given below BFE structure.

Rising water levels anticipated in the future should be of important concern.

Cost analysis:

In the attached table it is our main objective to quantify the cost of refurbishing the building, exclusively addressing safety and the 11 fundamental issues mentioned above.

Notes:

The estimates provided are based on a one day observation trip and standard estimating techniques, and cost information you have provided and therefore no representation or warranty is given or implied as to the information or pricing that is presented.

*Even though no testing was performed, we can expect the presence of lead paint under the layers of paint or exposed in certain areas which constitutes a health hazard to the residents. Lead mitigation costs increase remodeling costs substantially, especially when the peeling method becomes an essential method and toxicity levels are high (regarding the disposal sites). In our experience when lead paint existence is detected, peeling mitigation method costs could be as high as $20,000 per apartment, without taking in consideration the relocation of residents, inconvenience. Encapsulation method, which is substantially less costly, is not recommended when partial demolition of surfaces is necessary to upgrade the rough-in plumbing and electrical items.

*Residents' relocation during construction is essential.

The partial repair cost estimates attached as Exhibit 1, focusing on the eleven (11) functionality issues cost analysis is further complicated by shared common elements (sanitary pipes, conduits ext.) will require that all unit owners must agree unanimously to the upgrade works to be performed.

As requested, our experience as contractors in the COMPREHENSIVE remodeling of 1,200 units built in the 1950s, the cost for the upgrade and remodeling of the Bay Harbor Continental units, including common areas would be in the range of $160,000 to $200,000 per unit with standard finishes.
Furthermore, a RESTORATION is a much more expensive and a difficult undertaking that will require a multi-level expertise and an in-depth detailed inspection. A basic estimate has been shown.

Emilio Fagundo
President
ERF Consultant Group

Exhibit A: Estimated Costs for Obsolete Functionality Items.
Exhibit B: Estimated Costs for Restoration

ESTIMATED COSTS

Bay Harbor Continental, 1135 103rd Street, Bay Harbor Island, Bay Harbor, FL

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Cost	Total Sub Contractor Costs	Total Estimated
Built Up Roof	Square Feet	7000	$7.00	$49,000.00		$0.00	$6.00	$42,000.00	$91,000.00
Stairs Doors	Each	10	$2,500.00	$25,000.00	$600.00	$6,000.00		$0.00	$31,000.00
Potable Water Rough-Inn	Units	35	$1,200	$42,000	$2,500	$87,500		$0	$129,500
Sanitary and Soil Stacks Rough Inn	4000	35	$1,800	$63,000	$2,500	$87,500		$0	$150,500
Electrical Wiring	LS	35	$1,500	$52,500		$0	$1,500	$52,500	$105,000
New Windows and Sliding Doors	Units	105	$2,500	$262,500		$0		$0	$262,500
Wall Mount Split AC Systems	Units	35		$0		$0	$2,000	$70,000	$70,000
New Hand Rails	LF	2000		$0	$50	$100,000		$0	$100,000
Swimmming Pool Resurfacing	LS	1		$0		$0	$10,000	$10,000	$10,000
General Painiting	LS	1		$0		$0	$75,000	$75,000	$75,000
Lacad Paint Abatement	Units	35		$0		$0	$20,000	$700,000	$700,000
Flooring	Required But Not Estimated			$0		$0		$0	$0
Laundry Appliances	Required But Not Estimated			$0		$0		$0	$0
Bathrooms	Required But Not Estimated			$0		$0		$0	$0
Refrigerators	Required But Not Estimated			$0		$0		$0	$0
Cabinets	Required But Not Estimated			$0		$0		$0	$0
Ventilation	Required But Not Estimated			$0		$0		$0	$0
Other				$0		$0		$0	$0
Total				**$494,000**		**$281,000**	**$108,506**	**$949,500**	**$1,724,500**
								Subtotal	$1,724,500.00
								Unexpected Costs - Add 15%	$258,675.00
								Total	$1,983,175.00

Summary

	Material Cost		$494,000
	Labor Cost		$281,000
	Labor Tax	23%	$64,630
	Subcontractor Cost		$949,500
	Unexpected Costs		$258,675
Total Direct Cost			$2,047,805
Contractor's Overhead		7%	$143,346
Contractor's Profit		20%	$438,230
Insurances			
Workmen compensation insurance		2%	$60,476
Payment & performance Bonds		3%	$281,000
Public liability		2%	$5,620
Total Insurance			$347,096
Residents relocation			
8 Months x 35 Units x $2000 Cost per unit per month			$560,000

Total Costs	**$2,976,477**
Total Relocation Costs	**$560,000**
Total Costs	**$3,536,477**
Cost Per Unit	**$101,042**

B. ESTIMATED COSTS OF COMPREHENSIVE RESTORATION*.

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Unit Cost	Total Sub Contractor Costs	Total Estimated
Site Electrical works	Apts	35					$6,000	$210,000	$210,000
Mechanical works	Apts	35					$5,000	$175,000	$175,000
Site civil works	Apts	35					$5,000	$175,000	$175,000
Elevator	EA	1					$300,000	$300,000	$300,000
Baths (2 bath units)	Apts	10	$6,000	$60,000			$2,000	$20,000	$80,000
Baths (1 bath units)	Apts	25	$6,000	$150,000			$2,000	$50,000	$200,000
Kitchens	Apts	35	$12,000	$420,000			$3,000	$105,000	$525,000
New doors	Apts	35					$1,000	$35,000	$35,000
Painting & Trim	Apts	35					$3,000	$105,000	$105,000
Flooring	Apts	35					$5,000	$175,000	$175,000
Sub-total costs									$1,980,000
Contractors overhead and profit									$534,600
insurances& bonds									$138,600
Sub-Total									$2,653,200
PLUS ESTIMATED COSTS OF OBSOLETE FUNCTIONALITY ITEMS.									$3,536,477
Total costs									$6,189,677

*** Restorations of buildings requires components manufactured by suppliers that may no loger be in existance or in the regular market, thus creating a cost uncertainty but undoubtly a substantial expensier products.**

A final estimate of costs cannot be submitted without final restoration plan

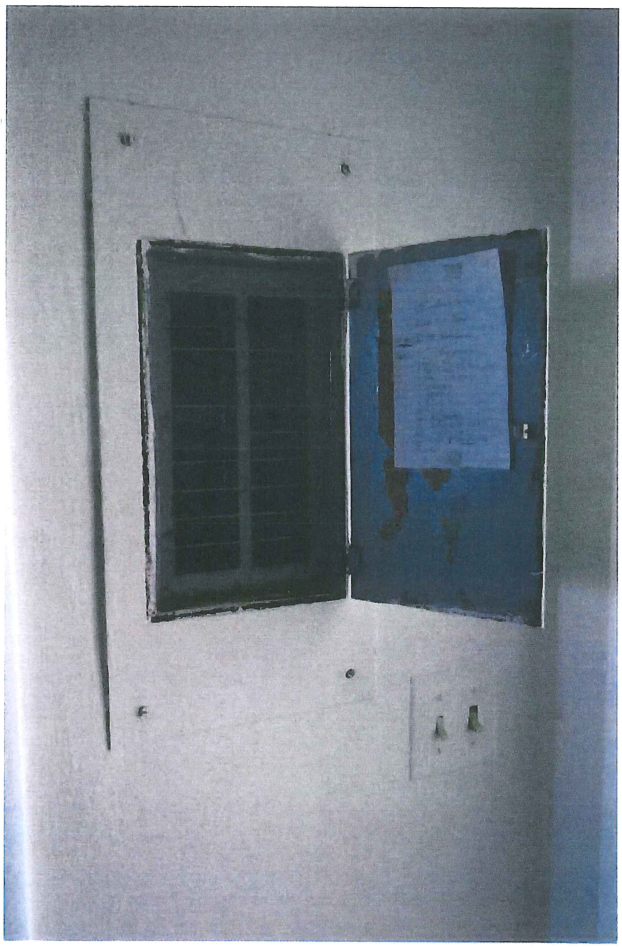


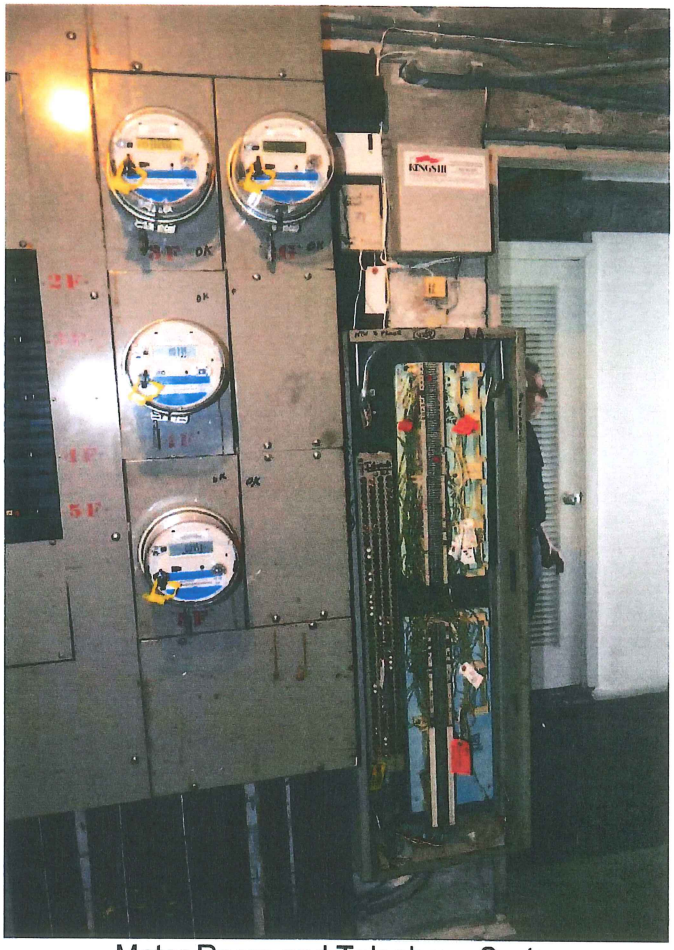


ROOF AREAS including vents, piping & AC condensing units



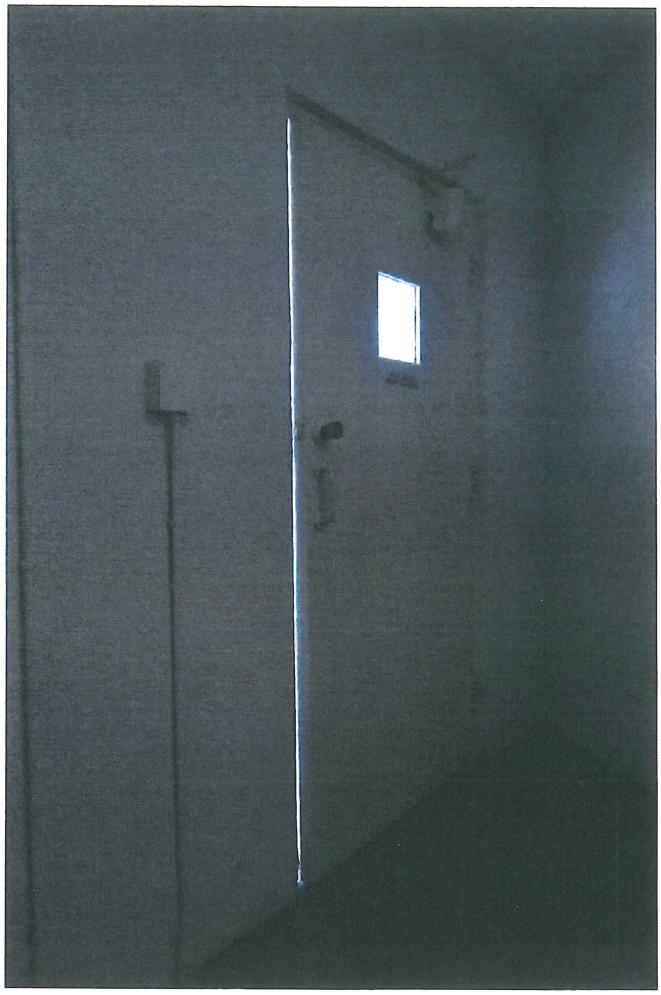
Abandoned water tower

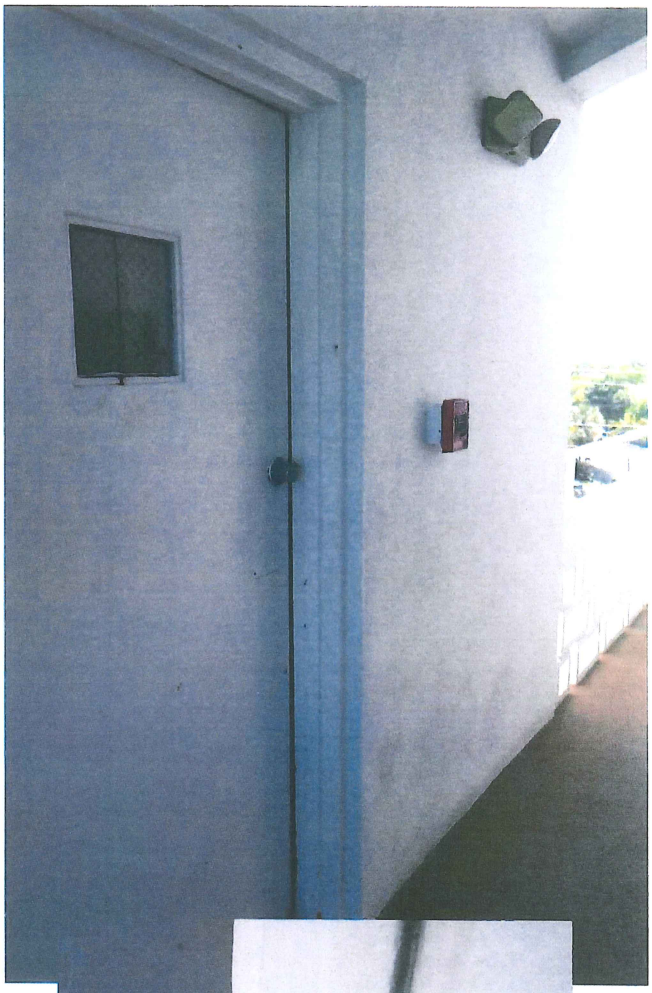




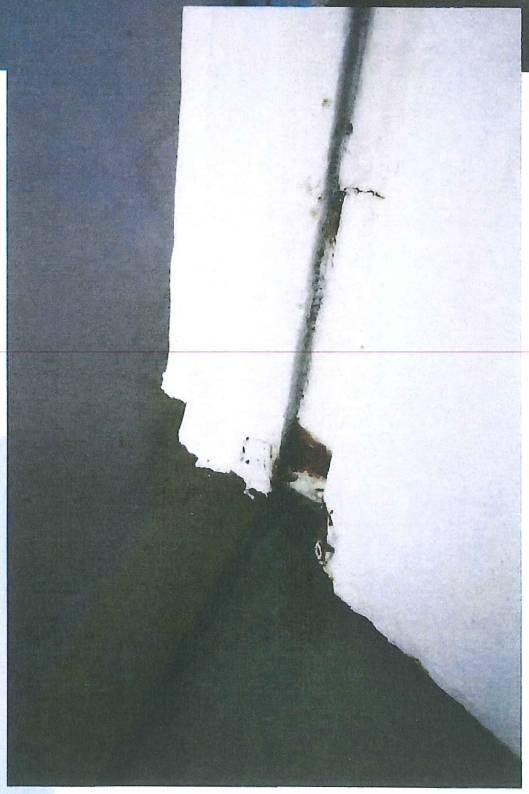
Meter Room and Telephone System





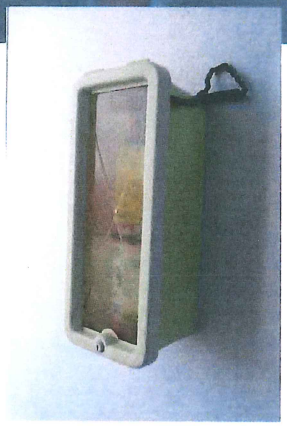


EXIT STAIR DOORS



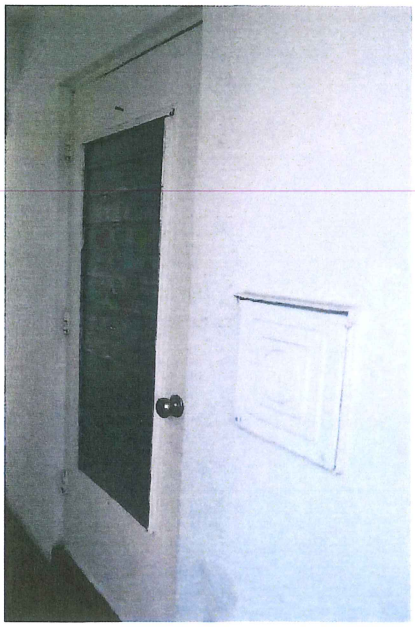




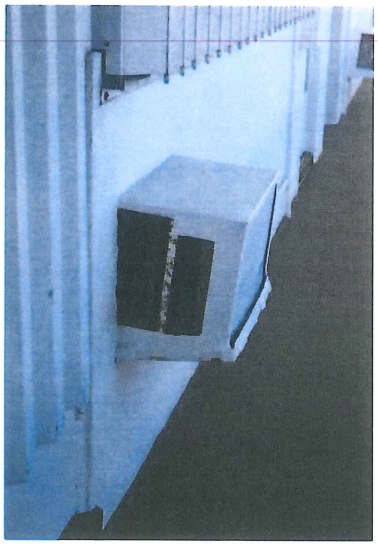




LIFE SAFETY: EXIT SIGNAGE, EMERGENCY LIGHTING, FIRE ALARM PULL STATION

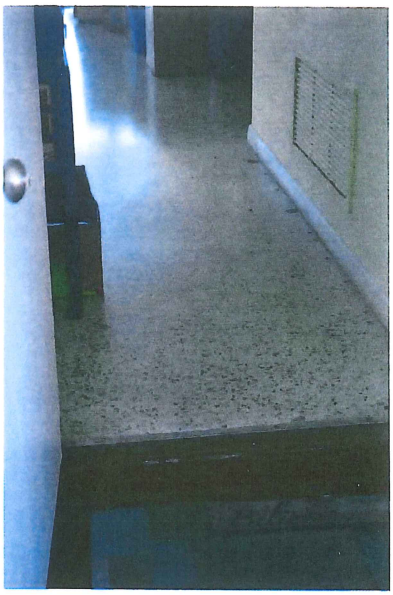


JALOUSIE DOORS/WINDOWS







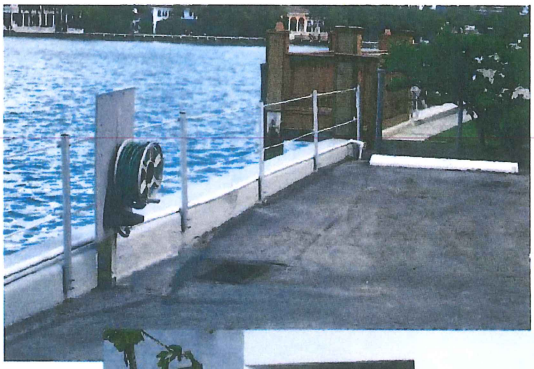


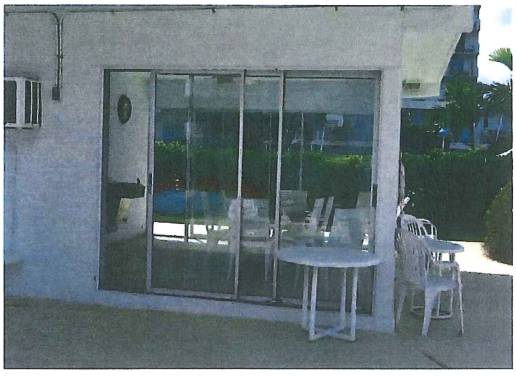














ACCESSIBILITY

EXHIBIT 6

Original Exhibit #22 as submitted 5/5/15

Not legible

Mr. Robert Kolbert
President
Bay Harbor Continental Inc.
1135 103rd Street
Bay Harbor Islands, Fl 33154

Personal and confidential

In accordance to our proposal letter as of March 9, 2015 we are herewith submitting the report documenting our observations conducted on March 9, 2015 at Bay Harbor Continental building located at 1135 103 Street, Bay Harbor Islands, Florida

Areas Observed:

- Common areas; Roof, stairs, parking, recreational pool areas and sea wall.

- Apartments 2A, 2C, 4A 5C.

General characteristics:

- The construction of the building was performed in 1958
  Consisting of 35 (one and two bedroom) apartments.
- The subject is a 57 years old building, requiring major up-grades to comply with current up to date safety codes and standards.
- The Building stands below Base Flood Elevation.

Note: No construction plans were available.

Findings:

1. Built up roof needs replacement, leaks were reported, membrane adhesion to roof failures observed.
2. Exit stairs door do not shut properly to meet safety codes. Egress signage missing or damaged.
3. Insufficient water pressure in some of the apartments indicating old clogged and rusted plumbing.
4. Frequent waste stacks clogged were reported.
5. Parking drainage deficiency reported.

6. Glass jalousie windows are not air sealed and do not comply with energy codes and do not comply with current wind loads codes (safety issue). Water intrusion at multiple locations.
7. Balcony sliding doors not working properly.
8. Air conditioning units protrude into required egress width of corridors, presenting a safety issue and/or other accessibility issues.
10. Hand railings corroded and broken at several places.
11. Swimming pool leaks reported.
12. Floor cracks were noted due to possible hydrostatic pressure given below BFE structure.

Rising water levels anticipated in the future should be of important concern.

Cost analysis:

In the attached table it is our main objective to quantify the cost of refurbishing the building, exclusively addressing safety and the 11 fundamental issues mentioned above.

Notes:

The estimates provided are based on a one day observation trip and standard estimating techniques, and cost information you have provided and therefore no representation or warranty is given or implied as to the information or pricing that is presented.

*Even though no testing was performed, we can expect the presence of lead paint under the layers of paint or exposed in certain areas which constitutes a health hazard to the residents. Lead mitigation costs increase remodeling costs substantially, especially when the peeling method becomes an essential method and toxicity levels are high (regarding the disposal sites). In our experience when lead paint existence is detected, peeling mitigation method costs could be as high as $20,000 per apartment, without taking in consideration the relocation of residents, inconvenience. Encapsulation method, which is substantially less costly, is not recommended when partial demolition of surfaces is necessary to upgrade the rough-in plumbing and electrical items.

*Residents' relocation during construction is essential.

The partial repair cost estimates attached as Exhibit 1, focusing on the eleven (11) functionality issues cost analysis is further complicated by shared common elements (sanitary pipes, conduits ext.) will require that all unit owners must agree unanimously to the upgrade works to be performed.

As requested, our experience as contractors in the COMPREHENSIVE remodeling of 1,200 units built in the 1950s, the cost for the upgrade and remodeling of the Bay Harbor Continental units, including common areas would be in the range of $160,000 to $200,000 per unit with standard finishes.
Furthermore, a RESTORATION is a much more expensive and a difficult undertaking that will require a multi-level expertise and an in-depth detailed inspection. A basic estimate has been shown.

Emilio Fagundo
President
ERF Consultant Group

Exhibit A: Estimated Costs for Obsolete Functionality Items.
Exhibit B: Estimated Costs for Restoration

ESTIMATED COSTS

Bay Harbor Continental, 1135 103rd Street, Bay Harbor Island, Bay Harbor, FL

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Cost	Total Sub Contractor Costs	Total Estimated
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	[illegible]
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Total				**$491,000**		**$261,000**	**$108,500**	**$369,500**	**$1,724,500**

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[illegible]	[illegible]
[illegible]	[illegible]

[illegible]	[illegible]

Total Costs	$2,977,477
Total Relocation Costs	$560,000
Total Costs	$3,537,477

Cost Per Unit	$111,042

B. ESTIMATED COSTS OF COMPREHENSIVE RESTORATION*

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Unit Cost	Total Sub Contractor Cost	Total Estimated
Sea Electrical works	Apts	15					$6,000	$210,000	$210,000
Mechanical works	Apts	15					$9,000	$175,000	$175,000
Sea and works	Apts	15					$9,000	$175,000	$175,000
Elevator	L.S.	1					$300,000	$300,000	$300,000
Baths (2 both sizes)	Apts	15	$6,000	$60,000			$2,000	$20,000	$80,000
Baths (3 both sizes)	Apts	25	$6,000	$150,000			$2,000	$50,000	$200,000
Kitchens	Apts	15	$12,000	$120,000			$3,000	$105,000	$525,000
New doors	Apts	15					$1,000	$15,000	$15,000
Painting & Trim	Apts	15					$3,000	$105,000	$105,000
Flooring	Apts	15					$9,000	$175,000	$175,000
Sub-total costs									$1,980,000
Contractors overhead and profit									$934,600
Insurances & bonds									$130,600
Sub-Total									$2,693,200
PLUS ESTIMATED COSTS OF OBSOLETE FUNCTIONALITY ITEMS									$3,936,477
Total costs									**$6,189,677**

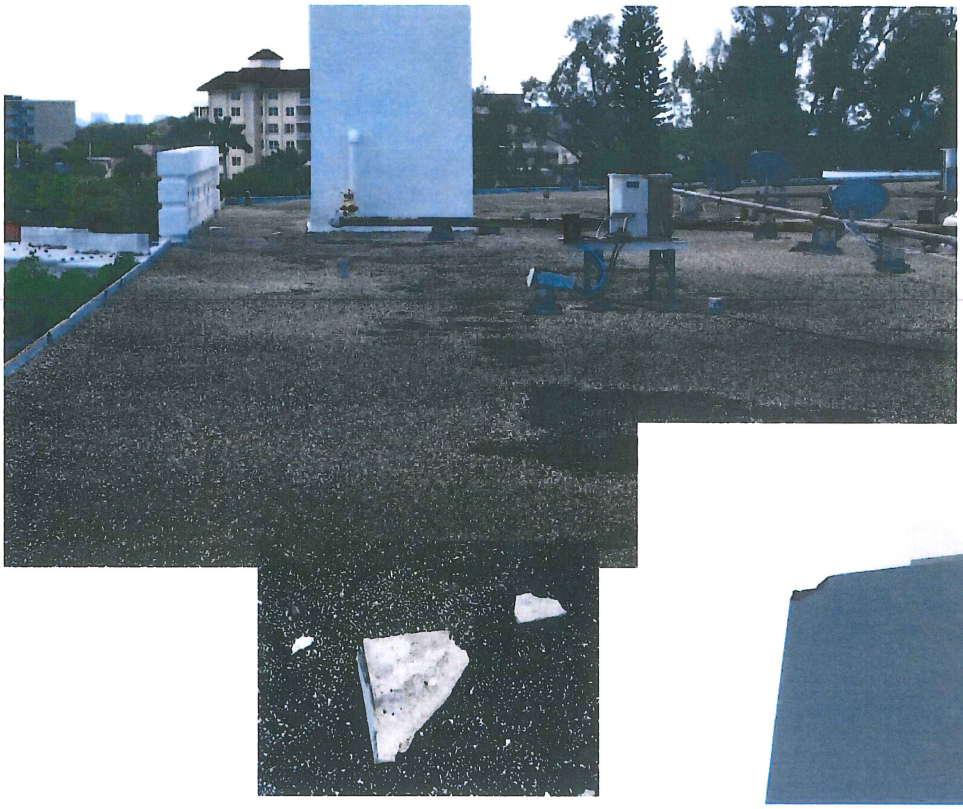
* Ignorances of buildings requires components manufactured by suppliers that may no longer be in existence or in the regular market, thus creating a contingency for unidentify a substantial expensive products.

[illegible]

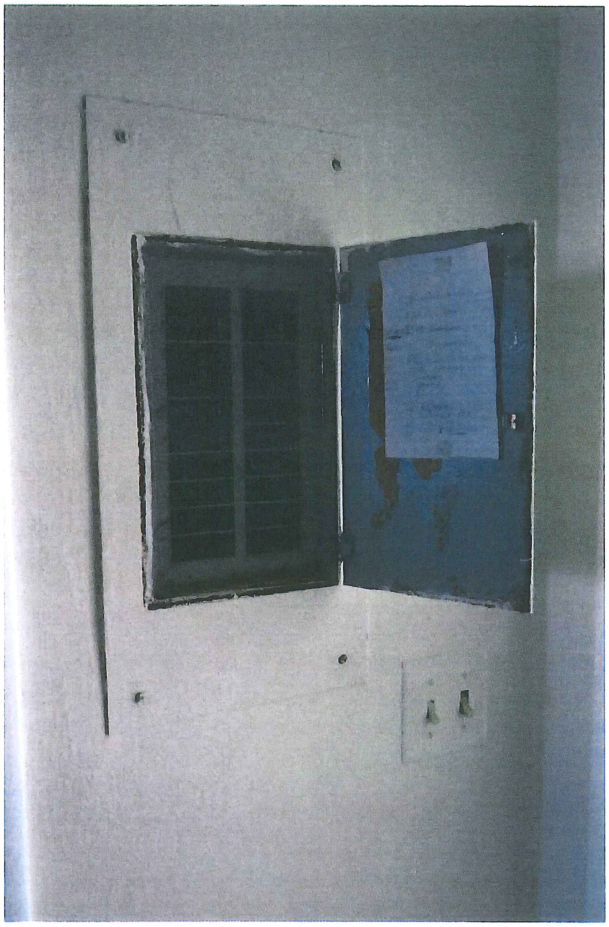


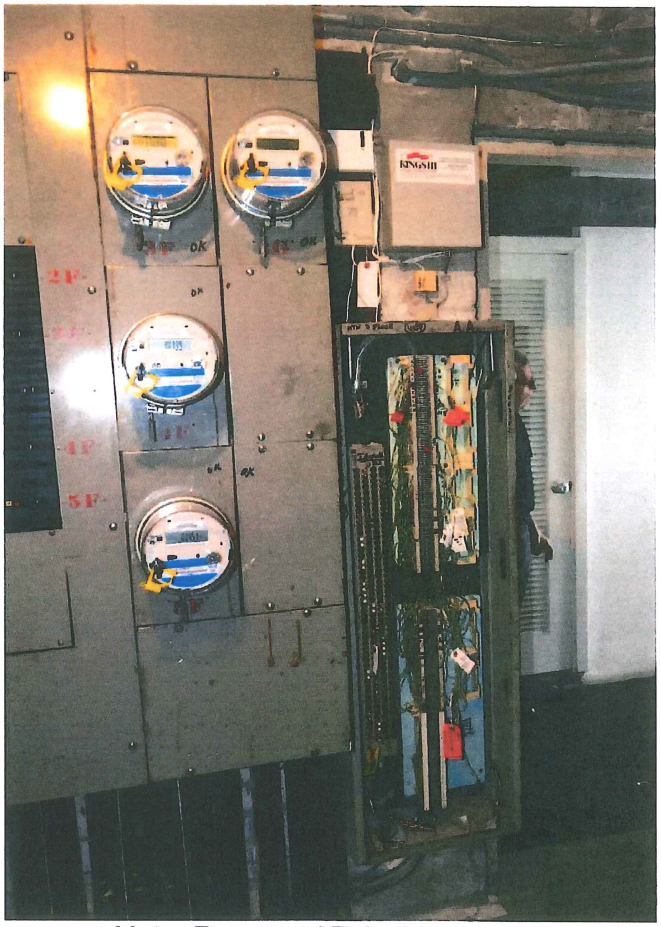


ROOF AREAS including vents, piping & AC condensing units



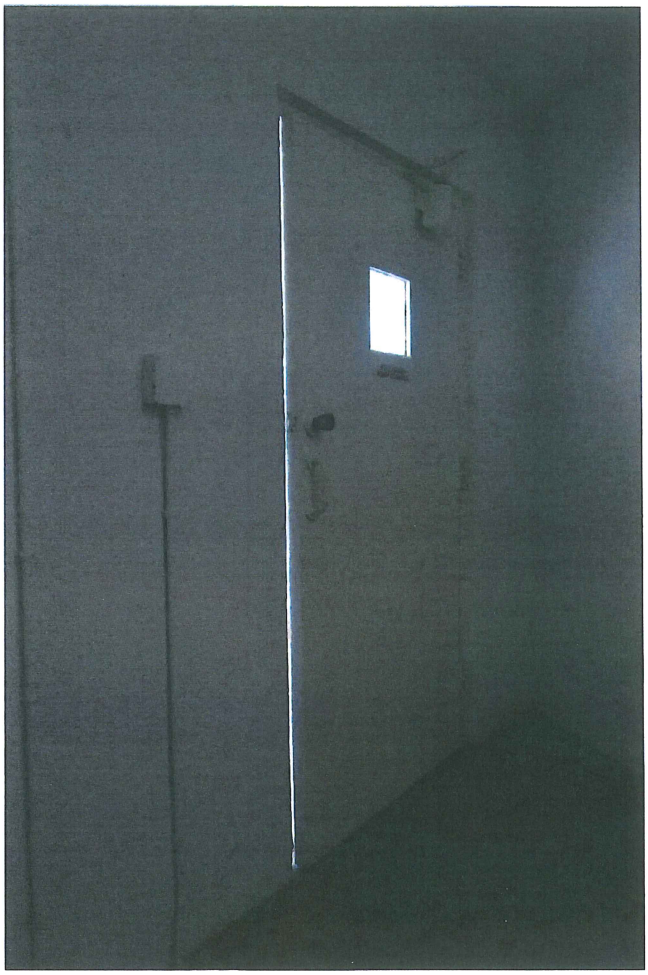
Abandoned water tower

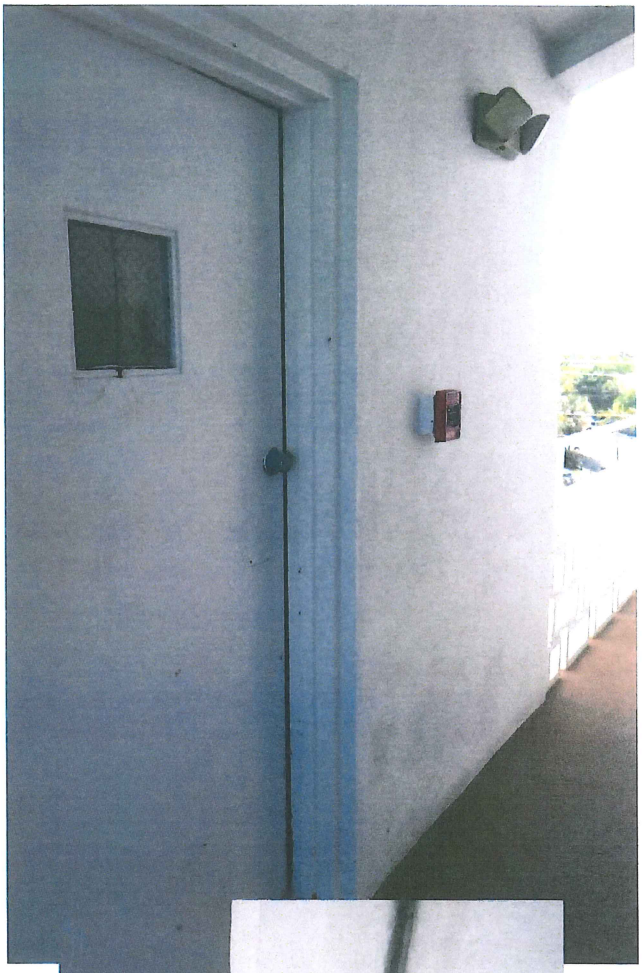




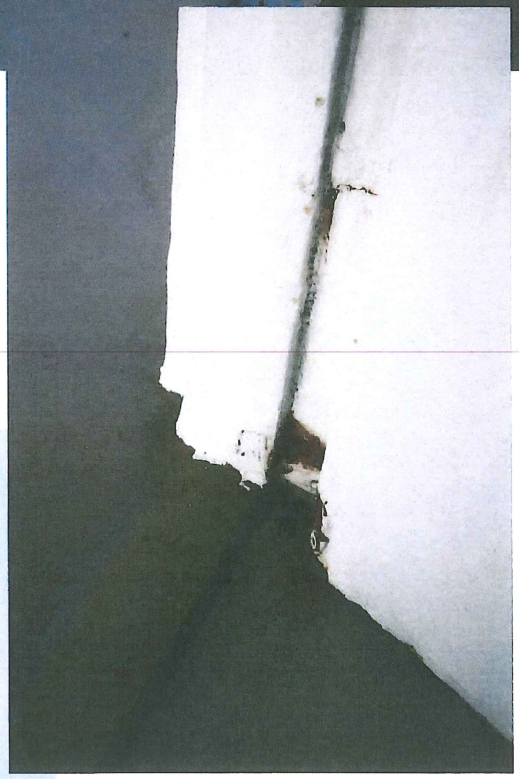
Meter Room and Telephone System





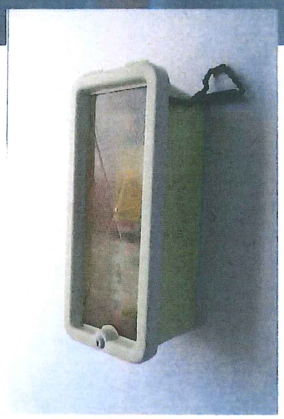


EXIT STAIR DOORS



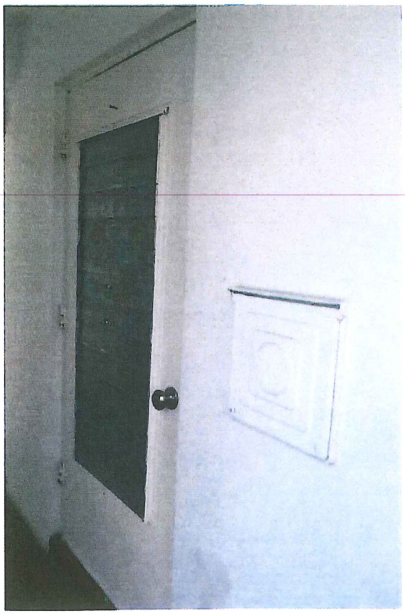






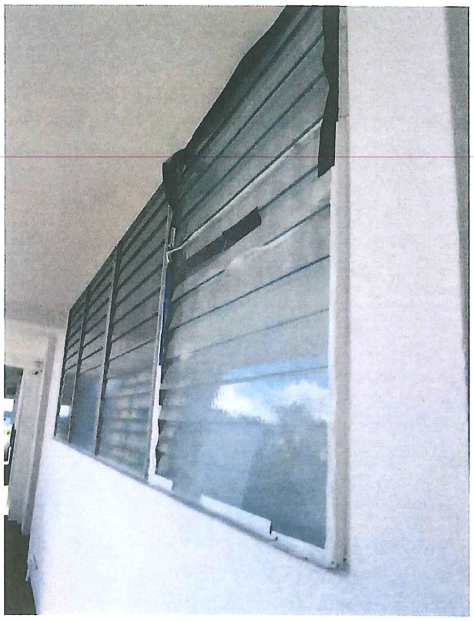


LIFE SAFETY: EXIT SIGNAGE, EMERGENCY LIGHTING, FIRE ALARM PULL STATION

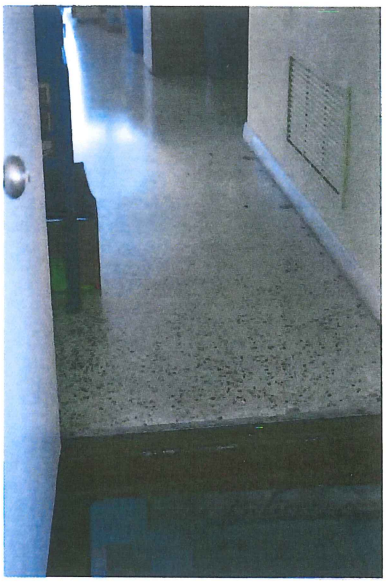


JALOUSIE DOORS/WINDOWS





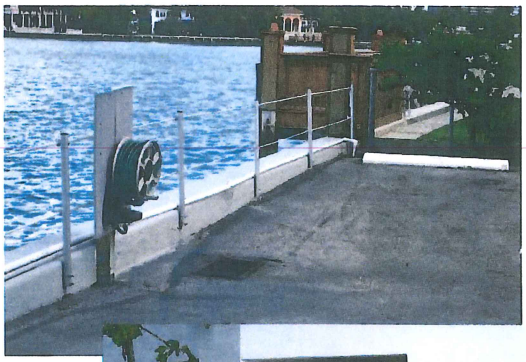


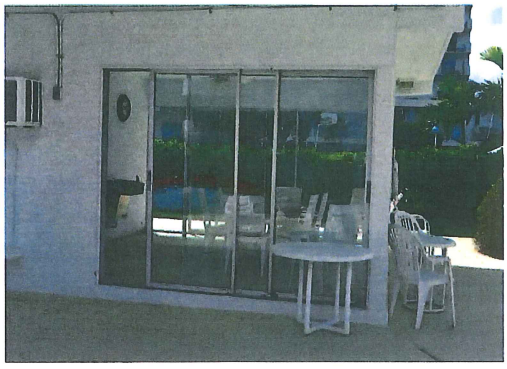














ACCESSIBILITY

EXHIBIT 6

ODEBRECHT

Odebrecht Construction, Inc

10 April 2015

Mr. Gaurav Butani, P3 Real Estate
1101 Brickell Avenue, 8th Floor
Miami FL 33131

SUBJECT: Bay Harbor Continental Building, 1135 103 Street, Bay Harbor Islands, Florida

Per your request, a cursory site inspection of the subject property was carried out on 8 April 2015. Based on observations and review of the report by ERF Construction Group, there are several issues that do not appear to have been considered which may have significant additional cost impacts.

1. The sea wall and concrete cap is in poor condition. Serious cracks in the concrete structure, breeches of the sea wall face, areas of delamination and soil settlement are indications that significant work must be carried out to rehabilitate the sea wall. This is consistent with a report received from the Town of Bay Harbor Islands prepared several years ago prepared by Hardesty & Hanover, LLP.

2. Deterioration of the 57 year old reinforced concrete building structure was observed in the form of cracks, spalling and corrosion of internal reinforcement which indicates that considerable concrete and reinforcement restoration work may be necessary.

3. It was reported that during storms and high tides the ground floor has been flooded. In addition, water has been reported to be rising from cracks in the ground floor concrete slab indicating hydrostatic forces for which the structure likely has not been designed to resist. Base flood elevations have been modified since the building was built as well as engineering practices in respect of flooding and tidal influences. Effective protection measures for the structure are necessary.

4. Life safety issues related to emergency egress travel paths in corridors, stairwells and elevator were observed. To address these issues may require extensive work.

5. The decorative concrete balcony protection rails do not meet current building safety codes. Replacement or rehabilitation of these balcony railings would entail considerable work.

6. Serious deficiencies in the plumbing and electrical systems have been reported. The estimated scope of work and estimated costs ($255,500) to rehabilitate the building plumbing and electrical systems has been considserably underestimated.

The above observations resulted from a cursory site visit. A detailed evaluation (w/testing) is necessary to understand the detailed existing conditions and develop an appropriate scope of work necessary to address the deficiencies. Based on our observations and review of the estimated costs by ERF, a magnitude estimate to adequately address the issues noted above could add an additional $1.5 to $2 million to the estimated costs.

Respectfully,

Brad H Rinzler

Brad H Rinzler
Sr. Project Manager

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201 Alhambra Circle, Suite 1400
Coral Gables, FL 33134
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Fax: (305) 569-1500

LOUISIANA
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New Orleans, LA 70113
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5100 Westheimer Road, Suite 585
Houston, TX 77056
Phone: (713) 961-9024
Fax: (305) 569-1500

RC 3 WORLD INC.
Planning & Development Consulting
C/O Plaza Executive Center, 31 Ocean Reef Drive, Suite A-301, Key Largo FL 33037
joelreed55@gmail.com 404-403-2925

March 31, 2015

P3 Investments 1 LLC
Attn: Gaurav Butani
1101 Brickell Ave.
8th Floor
Miami FL 33134

RE: Analysis of Rental of Existing Structure vs. Redevelopment and Economic Hardship

Mr. Butani,

We analyzed the potential purchase price of the Bay Harbor Continental Inc. based on maintaining the asset as a rental property. In order to do so the building would need to be bought into compliance with life safety issues as well as a modest renovation to the interior of individuals units as recommended by your Engineers report. This analysis looked at the cost of renovations vs. the market potential for rentals of the units and what the market could potentially support based on current rental rates. The analysis assumed 85% occupancy, addressing life safety and modest upgrades to the units necessary to be able to market the units. Furthermore, based on available rentals (Zillow) One (1) bedroom units in Bay Harbor are renting from $1,000 to $1350 per month where two (2) bedrooms rent from $1500 to $2500.

Modest Renovation and Life Safety	$6.5 Million
Rentals -	
1 Bedroom - $1550 X 25 X .85	$32,937.50
2 Bedroom - $2500 x 10 X .85	$21,250
TOTAL	$54,187 Monthly ($650,250 Annually
Capitalization at 8%	$8,128,125
Potential Value as Rental	$1,628,125 or $46,518/unit
Potential Value New Development	$16,500,000 or $471,428/unit*
ECONOMIC HARDSHIP	**$424,910 PER UNIT OWNER**

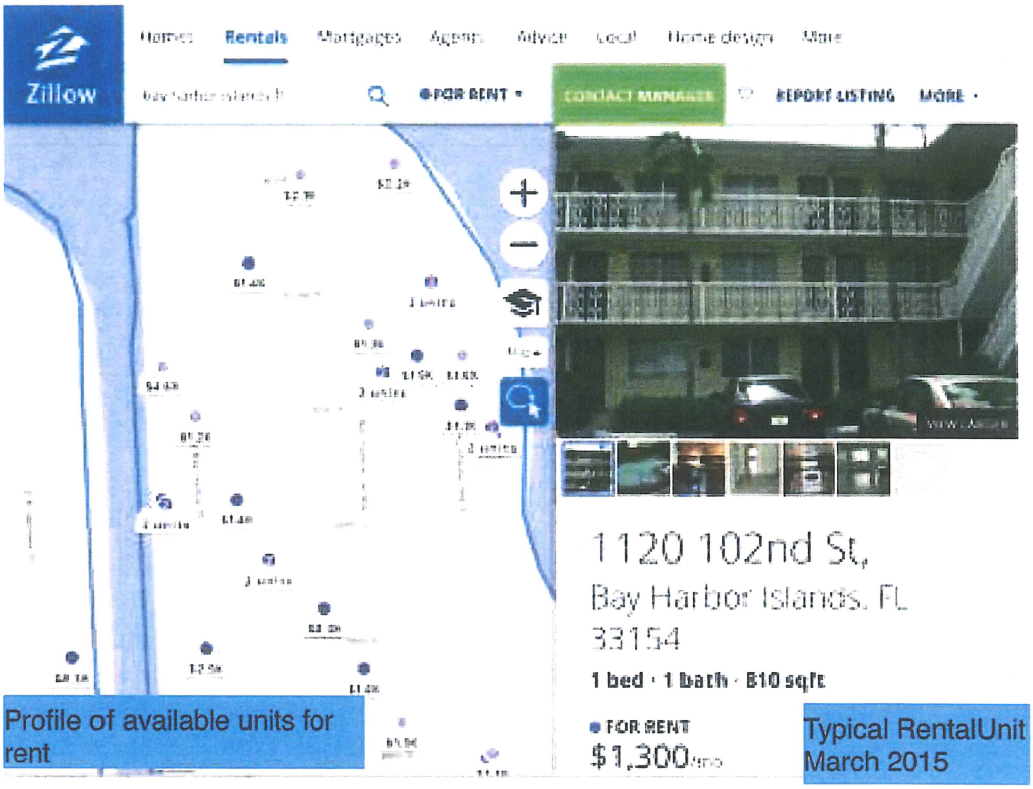
Sincerely,

Joel C. Reed

Joel C. Reed, AICP

*Based on contracted purchase price as provided by P3 Capital 1 LLC

RC 3 WORLD INC.
Planning & Development Consulting
C/O Plaza Executive Center, 31 Ocean Reef Drive, Suite A-301, Key Largo FL 33037
joelreed55@gmail.com 404-403-2925



*Based on contracted purchase price as provided by P3 Capital 1 LLC

Integra Realty Resources
Miami/Palm Beach

Appraisal of Potential Economic Hardship

Bay Harbor Continental, Inc.
Multifamily CO-OP Property
1135 103rd Street
Bay Harbor Islands, Miami-Dade County, Florida 33154

Prepared For:
P3 Investments I, LLC

Effective Date of the Appraisal:
May 4, 2015

Report Format:
Appraisal Report – Standard Format

IRR - Miami/Palm Beach
File Number: 123-2015-0137







Bay Harbor Continental, Inc.
1135 103rd Street
Bay Harbor Islands, Florida

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Orlando
Southwest Florida

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The Integra Building
4795 Enterprise Ave.
Suite 201
Naples, FL 34104
(239)-643-6888

May 4, 2015

Mr. Gaurav Butani
P3 Investments I, LLC
1101 Brickell Avenue, 8th Floor
Miami, FL 33131

SUBJECT: Market Value Appraisal of Potential Economic Hardship
Bay Harbor Continental, Inc.
1135 103rd Street
Bay Harbor Islands, Miami-Dade County, Florida 33154
IRR - Miami/Palm Beach File No. 123-2015-0137

Dear Mr. Butani:

Integra Realty Resources – Miami/Palm Beach is pleased to submit the accompanying appraisal of the referenced property. The purpose of the appraisal is to develop an opinion of the potential economic hardship of the fee simple interest in the property. The client for the assignment is P3 Investments I, LLC, and the intended use is for determination of any economic hardship to current owners, as a result of designating the subject through historic preservation.

The appraisal is intended to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, applicable state appraisal regulations, and the appraisal scope as developed with P3 Investments I, LLC.

To report the assignment results, we use the Appraisal Report option of Standards Rule 2-2(a) of USPAP. It is anticipated that the results will be presented orally at a future County Commission hearing on the matter.

The subject is an existing multifamily property containing 35 dwelling units, owned in a co-op form of ownership with 397 shares in the co-op corporation. The improvements were constructed in 1958 and include approximately $3,500,000 +/- in deferred maintenance. The

site area is 1.13 acres or 49,223 square feet. The subject is currently in-contract for $16,500,000, or $471,429 per unit. The buyer intends to redevelop the property into a modern residential condominium project. The subject is pending designation as an historic building by Miami-Dade County's preservation board, which would prevent the proposed demolition of the building and redevelopment of the land.

Based on the analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinion of value diminution associated with historic designation is shown as follows:

Potential Economic Hardship Analysis (Bay Harbor Islands, Inc.)

Unit Type	No. of Units	Total Size (SF)	No. of Shares	IRR-Miami Pricing ($/SF)	Aggregate Pricing	Implied Price $/Unit	Implied Price $/Share
1-Bedroom	25	18,750	262	$275	$5,156,250	$206,250	$19,680
2-Bedroom	10	10,000	135	$275	$2,750,000	$275,000	$20,370
	35		397		**$7,906,250**	**$225,893**	**$19,915**
				Current Purchase Contract:	$16,500,000	$471,429	$41,562
				***Potential Economic Hardship:**	**($8,593,750)**	**($245,536)**	**($21,647)**

***Does not account for additional economic hardship imposed by existing deferred maintenance.**
***Does not inlcude any negative tax implications to the shareholders resulting from the sale of the cooperative.**

- The estimated aggregate market value as is of the subject's individual units ($7,906,250) as compared with the current purchase contract of $16,500,000, results in an economic hardship of approximately **$8,593,750** to the subject's current shareholders/owners. This implies an economic hardship of approximately **$245,536** per unit (35 units), or **$21,647** per outstanding share (397 shares) of the cooperative.

- Designating the subject as an historic property has the potential to further erode the existing value of the owner's shares in the future. The subject includes significant deferred maintenance regarding the life safety and building code issues as reported by ERF Construction Group, Inc. The ability of the Continental Cooperative to raise sufficient funds through either special assessments or selling TDR's is negligible compared to the required capital.

- Properties that are classified as historic typically experience higher renovation and construction costs due to the additional time and expense associated with additional entitlements (i.e. certificate of appropriateness approvals), preservation of existing features, and reporting required by the Historic Preservation Board. This would suggest that the subject's current deferred maintenance and building code issues will likely increase with time as the Continental Cooperative lacks the financial ability to cure the current obsolescence.

- The highest and best use of the subject is for redevelopment into a more intense residential condo use. If designated as an historic property, the highest and best use of the subject changes the "legally permissible" test as the historic preservation board would legally control any potential redevelopment of the subject. The

restrictions inhibit the maximally productive use of the land. This is, in essence, a regulatory taking of the property's land value.

- The current contract price ($16,500,000) is based on the redevelopment potential of the land, **NOT**, the current existing improvements. If the ability to redevelop the subject's site is diminished, the buyer or any other developer would likely not consider the purchase of the subject at that pricing. As the deferred maintenance would likely increase going forward, the value of the existing shares would likely to continue to erode (without additional capital input) until such a time as the subject's improvements, decline and potentially reach a point that the property is not habitable.

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Potential Economic Hardship	Fee Simple	May 4, 2015	($8,593,750)
			($245,536) Per Unit
			($21,647) Per Share

The estimated aggregate market value as is of the subject's individual units ($7,906,250) compared with the current purchase contract of $16,500,000, results in an economic hardship of approximately **$8,593,750** to the subject's current shareholders/owners. This implies an economic hardship of approximately **$245,536** per unit (35 units), or **$21,647** per outstanding share (397 shares) of the cooperative.

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. The appraisers have relied upon deferred maintenance information by ERF Construction Group, LLC, as provided by the client. The appraisers have relied upon this information for its analysis of future potential economic hardship to the owners of the subject.
2. The appraisers are aware of several variable tax implications associated with the sale of the co-op entity. The tax analysis on potential sale proceeds to the co-op and individual shareholders is beyond the scope of this assignment. Our analysis of potential economic hardship is based on pre-tax analysis. It is the appraisers understanding that the buyer (client) has assisted the shareholders (owners) with tax consulting and analysis of lowering any potential tax burden on the shareholders.
3. The appraisers have used the current purchase and sale contract as provided by the client as a determination of potential sale proceeds. The appraisers assume that the buyer is still willing and able to execute the sale of the subject at the described price and terms.

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Miami/Palm Beach

Anthony M. Graziano, MAI, CRE
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FL State-Certified Real Estate Appraiser
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A. Appraiser Qualifications
B. Financials and Property Information

General Information

Identification of Subject

The subject is an existing multifamily property containing 35 dwelling units, owned in a co-op form of ownership with 397 shares in the co-op corporation. The improvements were constructed in 1958 and include approximately $3,500,000 +/- in deferred maintenance. The site area is 1.13 acres or 49,223 square feet.

Property Identification	
Property Name	Bay Harbor Continental, Inc.
Address	1135 103rd Street Bay Harbor Islands, Florida 33154
Tax ID	13-2227-026-0001
Owner of Record	P3 Investments I, LLC

Sale History

The subject's cooperative (Bay Harbor Islands Continental, Inc.) is currently in-contract (March 27, 2014) to be purchased by P3 Investments I, LLC for a price of $16,500,000. According to a letter dated (April 28, 2014) by Becker & Poliakoff, the seller has obtained the written approval from 27 of the 35 certificate holders, representing more than 75% of all certificate holders, therefore, satisfying the approval requirements of the seller's governing documents.

Sale Date	March 27, 2014
Seller	Bay Harbor Continental, Inc.
Buyer	P3 Investments I, LLC
Sale Price	$16,500,000
Recording Instrument Number	Purchase & Sale Contract
Expenditures Since Purchase	Pending

The pending sale price ($16,500,000) is greater than the estimated aggregate value (7,906,250) of the subject's current shares/units as if sold on an individual basis.

Purpose of the Appraisal

The purpose of the appraisal is to develop an opinion of the potential economic hardship of the fee simple interest in the property, if designated as an historic building, as of the effective date of the appraisal, May 4, 2015. The date of the report is May 4, 2015. The appraisal is valid only as of the stated effective date or dates.

Definition of Market Value

Market value is defined as:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

(Source: Code of Federal Regulations, Title 12, Chapter I, Part 34.42[g]; also Interagency Appraisal and Evaluation Guidelines, Federal Register, 75 FR 77449, December 10, 2010, page 77472)

Definition of As Is Market Value

As is market value is defined as, "The estimate of the market value of real property in its current physical condition, use, and zoning as of the appraisal's effective date."

(Source: The Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute, Chicago, Illinois, 2010; also Interagency Appraisal and Evaluation Guidelines, Federal Register, 75 FR 77449, December 10, 2010, page 77471)

Definition of Subject's Ownership

Cooperative Ownership is defined as, "a form of ownership in which each owner of stock in a cooperative apartment building or housing corporation receives a proprietary lease on a specific apartment and is obligated to pay a monthly maintenance charge that represents the proportionate share of operating expenses and debt service on the underlying mortgage, which is paid by the corporation. This proportionate share is based on the proportion of the total stock owned.

Definition of Property Rights Appraised

Fee simple estate is defined as, "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Leased fee interest is defined as, "A freehold (ownership interest) where the possessory interest has been granted to another party by creation of a contractual landlord-tenant relationship (i.e., a lease)."

Leasehold interest is defined as, "The tenant's possessory interest created by a lease."

Lease is defined as, "A contract in which rights to use and occupy land or structures are transferred by the owner to another for a specified period of time in return for a specified rent."

(Source: The Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute, Chicago, Illinois, 2010)

Intended Use and User

The intended use of the appraisal is for determination of any economic hardship to current owners, as a result of designating the subject through historic preservation. The client and intended user is P3 Investments I, LLC, and other intended users are Miami-Dade County Board of County Commissioners. The appraisal is not intended for any other use or user. No party or parties other than P3 Investments I, LLC and Miami-Dade County Board of County Commissioners may use or rely on the information, opinions, and conclusions contained in this report.

Applicable Requirements

This appraisal is intended to conform to the requirements of the following:

- Uniform Standards of Professional Appraisal Practice (USPAP);
- Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
- Applicable state appraisal regulations;
- Appraisal scope as developed with P3 Investments I, LLC.

Report Format

This report is prepared under the Appraisal Report option of Standards Rule 2-2(a) of USPAP. As USPAP gives appraisers the flexibility to vary the level of information in an Appraisal Report depending on the intended use and intended users of the appraisal, we adhere to the Integra Realty Resources internal standards for an Appraisal Report – Standard Format. This format summarizes the information analyzed, the appraisal methods employed, and the reasoning that supports the analyses, opinions, and conclusions.

Prior Services

USPAP requires appraisers to disclose to the client any other services they have provided in connection with the subject property in the prior three years, including valuation, consulting, property management, brokerage, or any other services. We have previously provided market pricing research services regarding the potential redevelopment of the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

Scope of Work

To determine the appropriate scope of work for the assignment, we considered the intended use of the appraisal, the needs of the user, the complexity of the property, and other pertinent factors. Our concluded scope of work is described below.IRR-Miami has researched and analyzed comparable sales of waterfront units in Bay Harbor Islands from 2014-present. We have estimated the current pricing of the subject's units based on the sales and historical sales within the subject's cooperative. We have deducted the aggregate value of the subject's units from the current purchase contract to estimate the potential economic hardship to the subject's owners.

We have also narrated the potential for further economic hardship to the subject's owners, if the subject is historically designated, through increase in deferred maintenance with few options to recover the value of the subject's site. As the historical designation would prevent any complete redevelopment of the subject, the owner's would have limited options to cure the deferred maintenance without significant special assessments.

Valuation Methodology

Appraisers usually consider the use of three approaches to value when developing a market value opinion for real property. These are the cost approach, sales comparison approach, and income capitalization approach. Use of the approaches in this assignment is summarized as follows:

Approaches to Value

Approach	Applicability to Subject	Use in Assignment
Cost Approach	Not Applicable	Not Utilized
Sales Comparison Approach	Applicable	Utilized
Income Capitalization Approach	Not Applicable	Not Utilized

The **sales comparison approach** is the most reliable valuation method for the subject due to the following:

- There is an active market for properties similar to the subject (individual units), and sufficient sales data is available for analysis.
- This approach directly considers the prices of alternative properties having similar utility.
- This approach is typically most relevant for owner-user properties.

The **income approach** is not applicable to the subject because:

- This approach does not reflect the primary analysis undertaken by a typical owner-user or buyer of the subject's entire cooperative.

The **cost approach** is not applicable to the subject considering the following:

- The age of the property makes estimates of accrued depreciation very subjective.
- This approach is not typically used by market participants, except for new properties.

Research and Analysis

Additional research included review of Bay Harbor Continental, Inc. amended & Restated By-Laws, internal share/sale documents, a construction budget estimating the deferred maintenance and the purchase contract between Bay Harbor Continental, Inc. and P3 Investments I, LLC.

The type and extent of our research and analysis is detailed in individual sections of the report. This includes the steps we took to verify comparable sales. Although we make an effort to confirm the arms-length nature of each sale with a party to the transaction, it is sometimes necessary to rely on secondary verification from sources deemed reliable.

Inspection

Anthony M. Graziano, MAI, CRE, conducted an exterior inspection of the property on May 3, 2015. Ryan T. Homan, MAI, conducted an exterior inspection on May 3, 2015.

Economic Analysis

Miami-Dade County Area Analysis

Miami-Dade County is located in southern Florida approximately 15 miles northeast of Miami CBD. It is 1,898 square miles in size and has a population density of 1,405 persons per square mile. Miami-Dade County is part of the Miami-Fort Lauderdale-West Palm Beach, FL Metropolitan Statistical Area, hereinafter called the Miami MSA, as defined by the U.S. Office of Management and Budget.

Population

Miami-Dade County has an estimated 2015 population of 2,666,776, which represents an average annual 1.3% increase over the 2010 census of 2,496,435. Miami-Dade County added an average of 34,068 residents per year over the 2010-2015 period, and its annual growth rate exceeded the State of Florida rate of 1.1%.

Looking forward, Miami-Dade County's population is projected to increase at a 1.3% annual rate from 2015-2020, equivalent to the addition of an average of 35,060 residents per year. Miami-Dade County's growth rate is expected to exceed that of Florida, which is projected to be 1.2%.

Population Trends

	Population			Compound Ann. % Chng	
	2010 Census	2015 Est.	2020 Est.	2010 - 2015	2015 - 2020
Florida	18,801,310	19,897,507	21,068,301	1.1%	1.2%
Miami-Dade County	2,496,435	2,666,776	2,842,074	1.3%	1.3%
Bay Harbor Islands	5,628	5,844	6,137	0.8%	1.0%

Source: Claritas

Employment

Total employment in Miami-Dade County is currently estimated at 1,046,970 jobs. Between year-end 2004 and the present, employment rose by 39,513 jobs, equivalent to a 3.9% increase over the entire period. There were gains in employment in six out of the past ten years despite the national economic downturn and slow recovery. Miami-Dade County's rate of employment growth over the last decade surpassed that of Florida, which experienced an increase in employment of 0.3% or 21,743 jobs over this period.

A comparison of unemployment rates is another way of gauging an area's economic health. Over the past decade, the Miami-Dade County unemployment rate has been generally lower than that of Florida, with an average unemployment rate of 6.5% in comparison to a 6.9% rate for Florida. A lower unemployment rate is a positive indicator.

Recent data shows that the Miami-Dade County unemployment rate is 5.4% in comparison to a 5.5% rate for Florida, a positive sign for Miami-Dade County economy but one that must be tempered by the fact that Miami-Dade County has underperformed Florida in the rate of job growth over the past two years.

Employment Trends

	Total Employment (Year End)				Unemployment Rate (Ann. Avg.)	
Year	Miami-Dade County	% Change	Florida	% Change	Miami-Dade County	Florida
2004	1,007,457		7,726,652		3.9%	4.6%
2005	1,023,160	1.6%	7,990,613	3.4%	3.2%	3.7%
2006	1,033,285	1.0%	8,128,744	1.7%	2.8%	3.2%
2007	1,033,503	0.0%	8,014,408	-1.4%	3.1%	4.0%
2008	1,004,798	-2.8%	7,585,913	-5.3%	4.8%	6.3%
2009	960,981	-4.4%	7,209,010	-5.0%	10.4%	10.4%
2010	973,323	1.3%	7,260,875	0.7%	11.1%	11.0%
2011	997,766	2.5%	7,368,030	1.5%	9.5%	10.0%
2012	1,021,527	2.4%	7,538,166	2.3%	8.3%	8.5%
2013	1,047,986	2.6%	7,741,539	2.7%	7.6%	7.3%
2014*	1,046,970	-0.1%	7,748,395	0.1%	6.8%	6.3%
Overall Change 2004-2014	39,513	3.9%	21,743	0.3%		
Avg Unemp. Rate 2004-2014					6.5%	6.9%
Unemployment Rate - February 2015					5.4%	5.5%

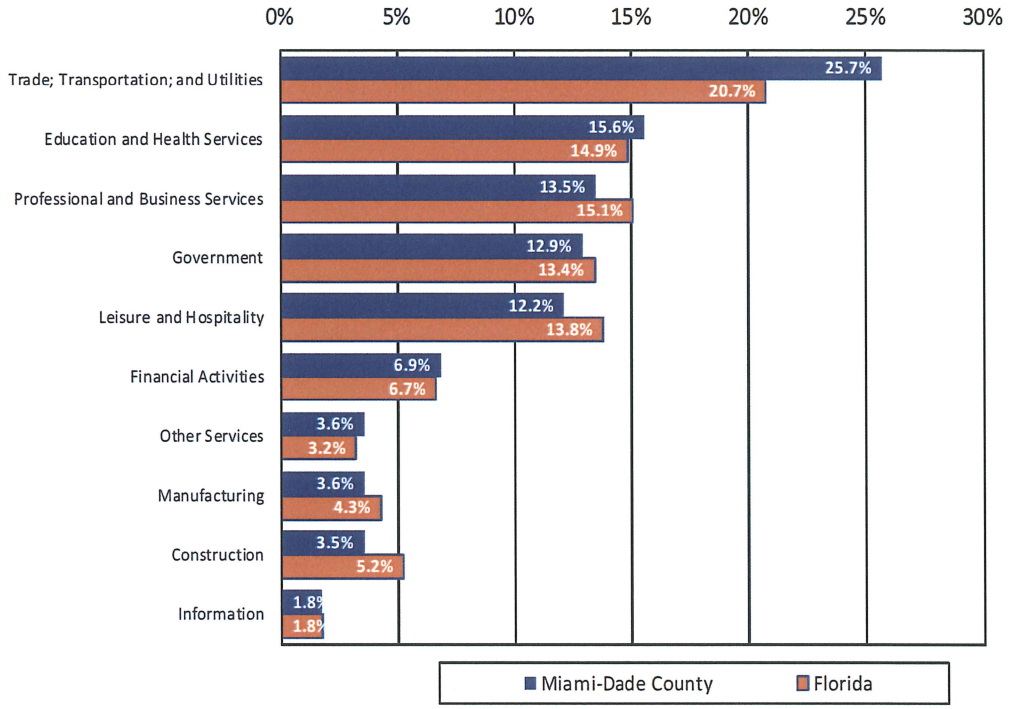
*Total employment data is as of September 2014; unemployment rate data reflects the average of 12 months of 2014.

Source: Bureau of Labor Statistics and Economy.com. Employment figures are from the Quarterly Census of Employment and Wages (QCEW). Unemployment rates are from the Current Population Survey (CPS). The figures are not seasonally adjusted.

Employment Sectors

The composition of the Miami-Dade County job market is depicted in the following chart, along with that of Florida. Total employment for both areas is broken down by major employment sector, and the sectors are ranked from largest to smallest based on the percentage of Miami-Dade County jobs in each category.

Employment Sectors - 2014



Source: Bureau of Labor Statistics and Economy.com

Miami-Dade County has greater concentrations than Florida in the following employment sectors:

1. Trade; Transportation; and Utilities, representing 25.7% of Miami-Dade County payroll employment compared to 20.7% for Florida as a whole. This sector includes jobs in retail trade, wholesale trade, trucking, warehousing, and electric, gas, and water utilities.
2. Education and Health Services, representing 15.6% of Miami-Dade County payroll employment compared to 14.9% for Florida as a whole. This sector includes employment in public and private schools, colleges, hospitals, and social service agencies.
3. Financial Activities, representing 6.9% of Miami-Dade County payroll employment compared to 6.7% for Florida as a whole. Banking, insurance, and investment firms are included in this sector, as are real estate owners, managers, and brokers.
4. Other Services, representing 3.6% of Miami-Dade County payroll employment compared to 3.2% for Florida as a whole. This sector includes establishments that do not fall within other defined categories, such as private households, churches, and laundry and dry cleaning establishments.

Miami-Dade County is underrepresented in the following sectors:

1. Professional and Business Services, representing 13.5% of Miami-Dade County payroll

employment compared to 15.1% for Florida as a whole. This sector includes legal, accounting, and engineering firms, as well as management of holding companies.

2. Government, representing 12.9% of Miami-Dade County payroll employment compared to 13.4% for Florida as a whole. This sector includes employment in local, state, and federal government agencies.
3. Leisure and Hospitality, representing 12.2% of Miami-Dade County payroll employment compared to 13.8% for Florida as a whole. This sector includes employment in hotels, restaurants, recreation facilities, and arts and cultural institutions.
4. Manufacturing, representing 3.6% of Miami-Dade County payroll employment compared to 4.3% for Florida as a whole. This sector includes all establishments engaged in the manufacturing of durable and nondurable goods.

Major Employers

Major employers in Miami-Dade County are shown in the following table.

Major Employers - Miami-Dade County

	Name	Number of Employees
1	Miami-Dade County Public Schools	48,571
2	Miami-Dade County	29,000
3	Federal Government	19,500
4	Florida State Government	17,100
5	University of Miami	16,000
6	Baptist Health South Florida	13,376
7	Jackson Health System	12,571
8	Publix Super Markets	10,800
9	American Airlines	9,000
10	Florida International University	8,000

Source: Enterprise Florida

Gross Domestic Product

Gross Domestic Product (GDP) is a measure of economic activity based on the total value of goods and services produced in a defined geographic area. Although GDP figures are not available at the county level, data reported for the Miami MSA is considered meaningful when compared to the nation overall, as Miami-Dade County is part of the MSA and subject to its influence.

Economic growth, as measured by annual changes in GDP, has been considerably lower in the Miami MSA than the United States overall during the past eight years. The Miami MSA has declined at a 0.8% average annual rate while the United States has grown at a 0.9% rate. As the national economy improves, the Miami MSA has recently performed better than the United States. GDP for the Miami MSA rose by 2.4% in 2013 while the United States GDP rose by 1.8%.

The Miami MSA has a per capita GDP of $45,145, which is 8% less than the United States GDP of $49,115. This means that Miami MSA industries and employers are adding relatively less value to the economy than their counterparts in the United States overall.

Gross Domestic Product				
Year	($ Mil) Miami MSA	% Change	($ Mil) United States	% Change
2006	277,591		14,612,582	
2007	278,527	0.3%	14,824,616	1.5%
2008	269,478	-3.2%	14,728,947	-0.6%
2009	247,947	-8.0%	14,328,006	-2.7%
2010	247,743	-0.1%	14,639,748	2.2%
2011	249,165	0.6%	14,868,836	1.6%
2012	256,900	3.1%	15,245,906	2.5%
2013	263,115	2.4%	15,526,715	1.8%
Compound % Chg (2006-2013)		-0.8%		0.9%
GDP Per Capita 2013	$45,145		$49,115	

Source: Bureau of Economic Analysis and Economy.com; data released September 2014. The release of state and local GDP data has a longer lag time than national data. The data represents inflation-adjusted "real" GDP stated in 2009 dollars.

Household Income

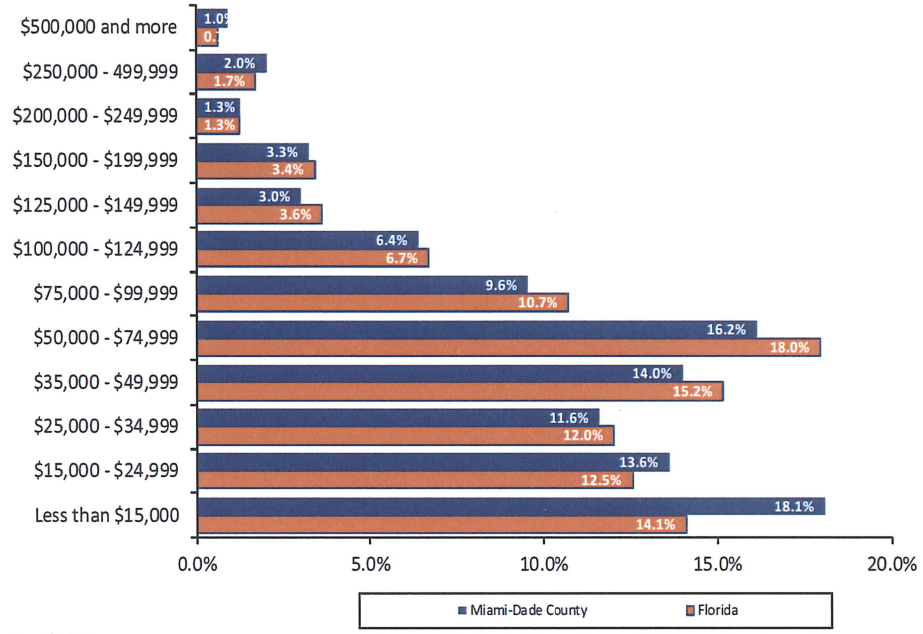
Miami-Dade County has a lower level of household income than Florida. Median household income for Miami-Dade County is $42,148, which is 8.7% less than the corresponding figure for Florida.

Median Household Income - 2015	
	Median
Miami-Dade County	$42,148
Florida	$46,183
Comparison of Miami-Dade County to Florida	- 8.7%

Source: Claritas

The following chart shows the distribution of households across twelve income levels. Miami-Dade County has a greater concentration of households in the lower income levels than Florida. Specifically, 43% of Miami-Dade County households are below the $35,000 level in household income as compared to 39% of Florida households. A lesser concentration of households is apparent in the middle income levels, as 30% of Miami-Dade County households are between the $35,000 - $75,000 levels in household income versus 33% of Florida households.

Household Income Distribution - 2015

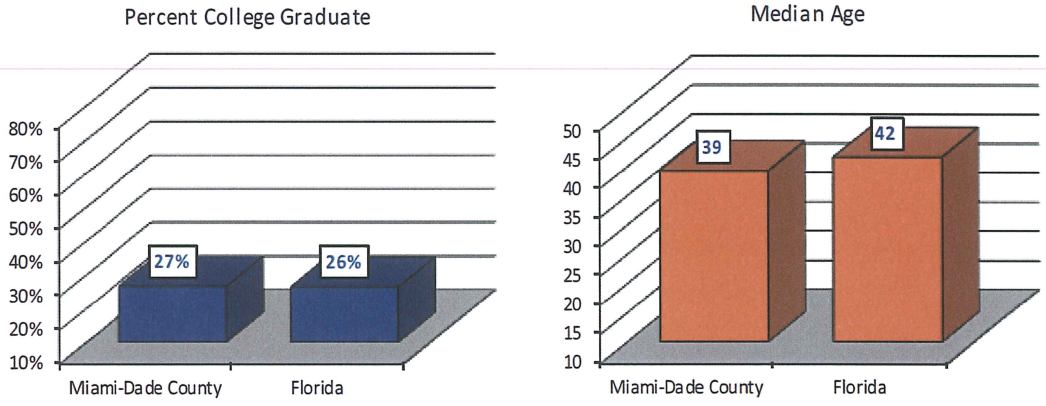


Source: Claritas

Education and Age

Residents of Miami-Dade County have a slightly higher level of educational attainment than those of Florida. An estimated 27% of Miami-Dade County residents are college graduates with four-year degrees, versus 26% of Florida residents. People in Miami-Dade County are younger than their Florida counterparts. The median age for Miami-Dade County is 39 years, while the median age for Florida is 42 years.

Education & Age - 2015



Source: Claritas

Conclusion

Miami-Dade County represents an economy which is largely driven by tourism, education, and healthcare services. The recessionary effects of 2008-2009 significantly impaired the local economy, including the substantial housing and construction sector.

Recent national and regional improvements in the economy have reinvigorated the tourism and education sectors; healthcare sectors remained solid through the downturn. The housing and construction sectors have recently experienced modest improvement, and recent development activity has stabilized the employment base.

Overall, Miami-Dade County is experiencing healthy growth, renewed positive employment in most sectors, and renewed investment and development interest. The improvements in the fundamental economy, coupled with an influx of tourism and related foreign investment capital, is strengthening demand for real estate in the broader market.

Area Map


SUBJECT
1135 103rd St
Miami Beach, FL 33154
North Lauderdale
Margate
Pompano Beach
Tamarac
Pompano Park
Lauderdale-by-the-Sea
Oakland Park
Sunrise
Lauderhill
Wilton Manors
Fort Lauderdale
Plantation
Melrose Park
Broadview Park
Forest Ridge
Cooper City
Davie
FT Lauderdale/Hollywood International Arpt
Everglades
Dania
Hollywood
Pembroke Pines
Miramar
Hallandale Beach
Aventura
Lake Lucerne
Palm Springs North
Carol City
Ojus
North Miami Beach
Milton E Thompson County Park
Miami Lakes West Park
Miami Lakes
North Miami
Bay Harbor Islands
Surfside
Hialeah Gardens
El Portal
Miami Shores
North Bay Village
Hialeah
Doral Park
Miami International Airport
Miami Beach
Virginia Key
Third Street Beach
Westchester
Coral Gables
Westwood Lake
Miami
Kendall Lakes
South Miami
Key Biscayne
Pinecrest
Kendall
Biscayne Bay
Richmond Heights
Perrine
Cutler Ridge
SW 216th St
Goulds
Princeton
Florida Keys
Atlantic Ocean
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Surrounding Area Analysis

Location

The subject is located on the east island of Bay Harbor Islands, which is located in Miami-Dade County.

Demographics

A demographic profile of the surrounding area, including population, households, and income data, is presented in the following table.

Surrounding Area Demographics

2015 Estimates	1-Mile Radius	3-Mile Radius	5-Mile Radius	Miami-Dade County	Florida
Population 2010	9,917	105,728	288,892	2,496,435	18,801,310
Population 2015	10,728	112,862	306,292	2,666,776	19,897,507
Population 2020	11,564	120,072	324,653	2,842,074	21,068,301
Compound % Change 2010-2015	1.6%	1.3%	1.2%	1.3%	1.1%
Compound % Change 2015-2020	1.5%	1.2%	1.2%	1.3%	1.2%
Households 2010	4,757	45,761	115,193	867,352	7,420,802
Households 2015	5,192	49,261	123,527	928,604	7,839,517
Households 2020	5,626	52,682	131,852	992,627	8,301,896
Compound % Change 2010-2015	1.8%	1.5%	1.4%	1.4%	1.1%
Compound % Change 2015-2020	1.6%	1.4%	1.3%	1.3%	1.2%
Median Household Income 2015	$50,272	$36,986	$41,238	$42,148	$46,183
Average Household Size	2.1	2.3	2.5	2.8	2.5
College Graduate %	46%	31%	30%	27%	26%
Median Age	46	41	41	39	42
Owner Occupied %	60%	45%	54%	55%	67%
Renter Occupied %	40%	55%	46%	45%	33%
Median Owner Occupied Housing Value	$455,689	$234,378	$229,814	$229,386	$172,045
Median Year Structure Built	1968	1972	1972	1978	1986
Avg. Travel Time to Work in Min.	32	34	33	32	29

Source: Claritas

As shown above, the current population within a 3-mile radius of the subject is 112,862, and the average household size is 2.3. Population in the area has grown since the 2010 census, and this trend is projected to continue over the next five years. Compared to Miami-Dade County overall, the population within a 3-mile radius is projected to grow at a slower rate.

Median household income is $36,986, which is lower than the household income for Miami-Dade County. Residents within a 3-mile radius have a higher level of educational attainment than those of Miami-Dade County, while median owner occupied home values are higher.

Land Use

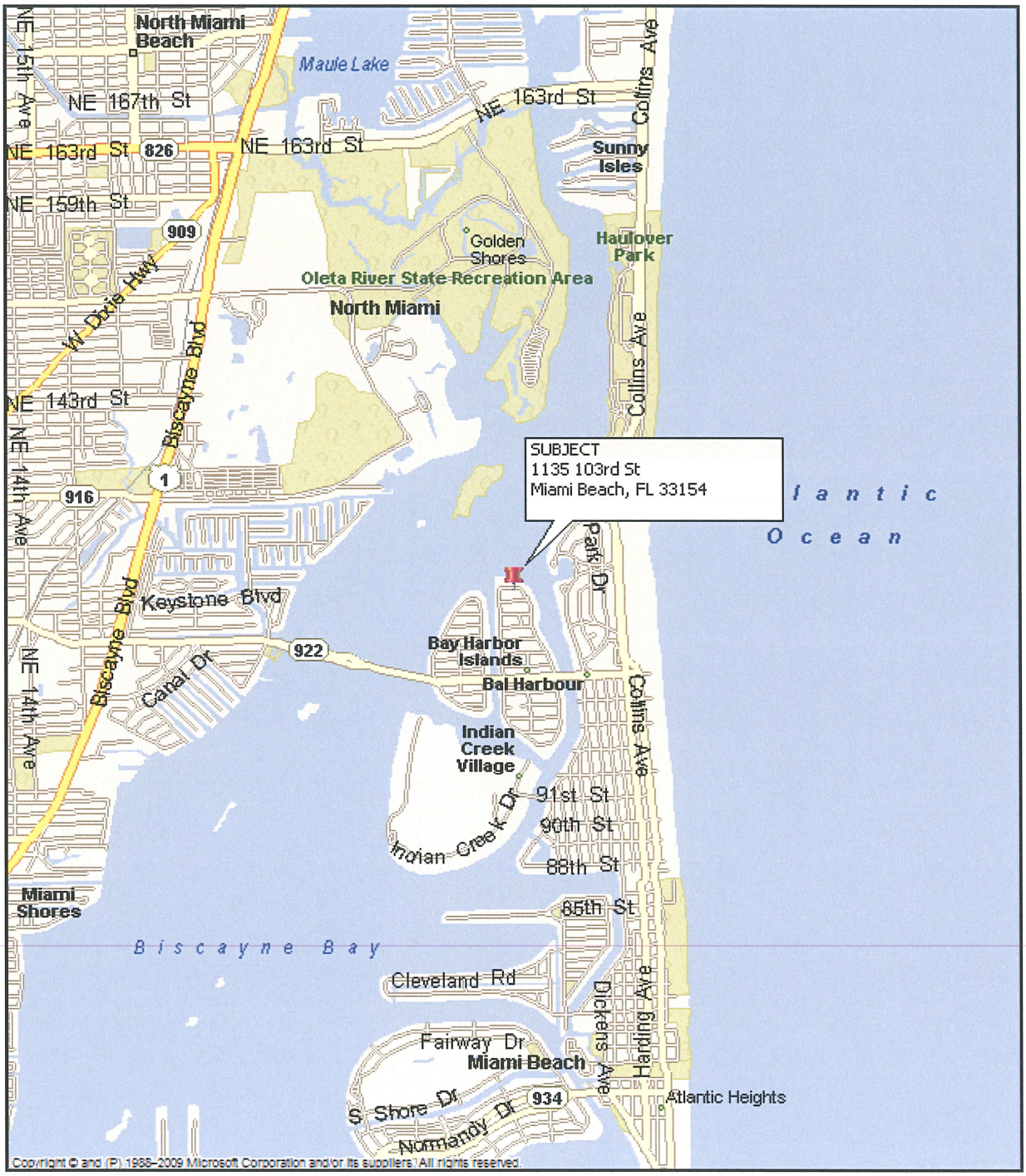
The Town of Bay Harbor Islands is urban in character and approximately 98% developed.

Land uses immediately surrounding the subject are predominantly multifamily residential condos with typical ages of building improvements ranging from new/proposed to 50+. Property types adjoining the subject include a residential cooperation and a residential condo.

Outlook and Conclusions

The area is in the redevelopment stage of its life cycle. Recent development activity has been accelerating as the subject's location and significant water frontage are ideal for new residential development.

Surrounding Area Map



Residential Condo Market Analysis

Bay Harbor Islands has several demand drivers that are unique to the town. One of the primary drivers (likely the most conventional of the town's drivers) is the above-average elementary and primary schools available to residents of Bay Harbor Islands. Additionally, the proximity of Bal Harbour, with its luxury mall, as well as easy access to the Miami beaches (North Beach, Mid Beach and South Beach) serve as bonus luxury drivers for the area as well. Bay Harbor offers ocean and bay views in additional to the previously mentioned luxury drivers. As such, the demand for units in Bay Harbor Islands has spiked during this cycle. Tellingly, brokers have reported a great deal of interest from South American buyers and in particular, Brazilians, groups that have largely led the first wave of buyers during this cycle.

There are about 22 proposed and under construction condominium projects on the east island of Bay Harbor at this time, six of which are currently under construction. The proposed and planned projects comprise over 500 units whereas the under construction projects will bring a projected 236 units to the market. These units are typically oversized and have luxury to ultra-luxury finishes. Brokers have reported strong interest in these proposed and under construction units with most under construction projects being nearly sold out prior to completion. Additionally, pricing for proposed and under-construction begins above $350/SF (interior sites), with waterfront projects typically selling for over $500/SF +/-.

Property Analysis

Land Description and Analysis

The subject is a 1.13-acre waterfront site in Bay Harbor Islands. The subject includes sufficient street frontage and is irregular in shape, but does not include any significant physical characteristics that would limit the development of the site.

Potential Development Density

Based on the maximum density under zoning and densities of similar sites, it appears that 38 dwelling units could be developed on the site if it were vacant. This compares with the subject's actual development of 35 units.

Transfer of Development Rights (TDR)

The Town of Bay Harbor Islands has incorporated a TDR (Transfer of Development Rights) program within the east island of the town. The program creates a market for the exchange of multifamily residential development rights between existing properties that are not maximizing their development potential and properties that would benefit from the additional density. The program allows for the regulation of an overall maximum density within Bay Harbor Islands, while allowing property owners the ability to "unlock" potential value by transferring unused property rights to other properties.

The Town of Bay Harbor reports current pricing of TDR's of $47,500 per unit for waterfront projects. This would indicate potential revenue of approximately $142,500 from the transfer of available TDR's of the subject (3 excess units X $47,500/unit).

Rent Control Regulations

The subject's cooperation by-laws state that equity members may not lease their unit to non-members for a period of one (1) year after acquisition of certificate of ownership. In addition, any equity member who wishes to lease their unit must submit an application for authority to lease their unit to the Board of Directors. Any prospective lessee must submit to a personal interview with the Board of Directors or their designated persons, pending approval of the applicant.

Easements, Encroachments and Restrictions

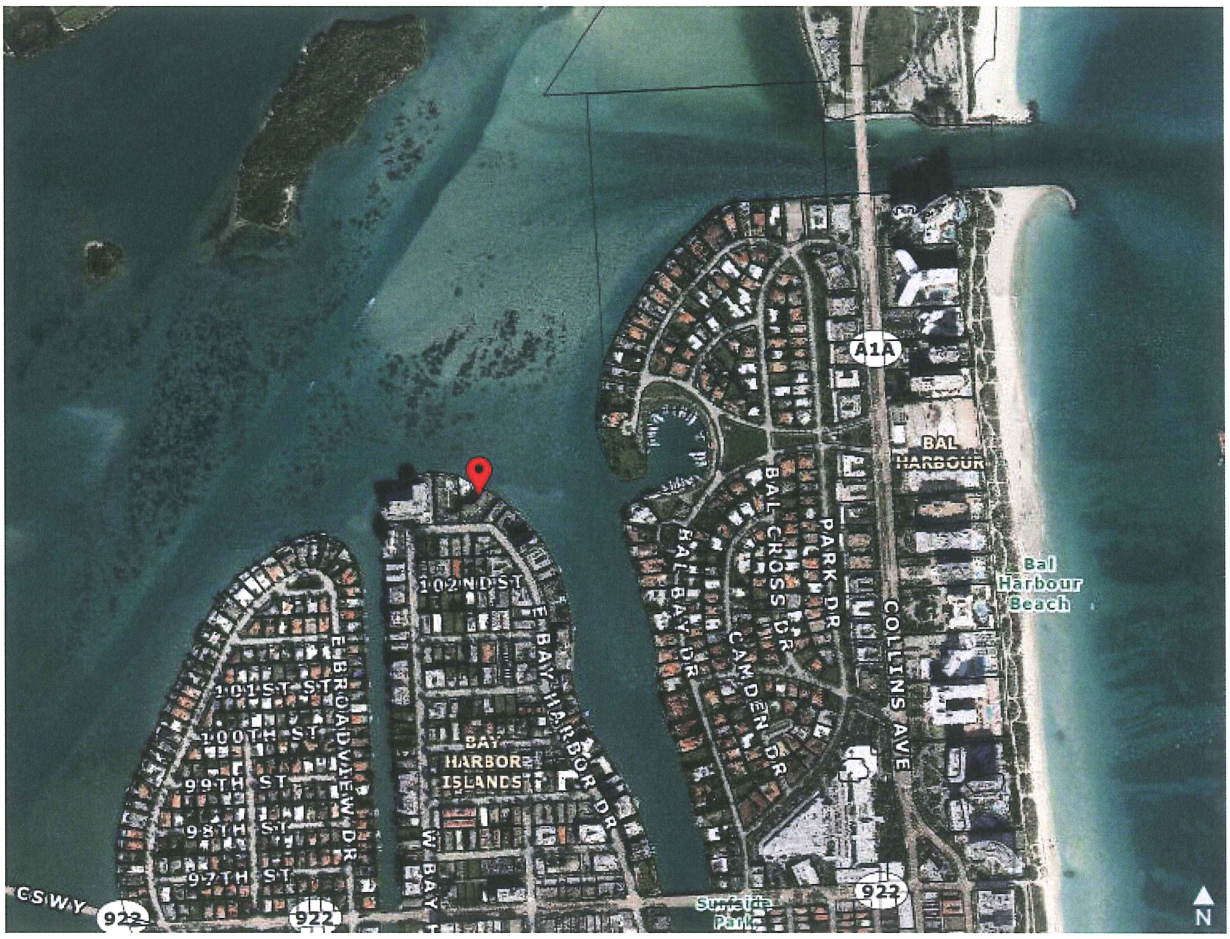
We were not provided a current title report to review. We are not aware of any easements, encroachments, or restrictions that would adversely affect value. Our valuation assumes no adverse impacts from easements, encroachments, or restrictions, and further assumes that the subject has clear and marketable title.

Conclusion of Land Analysis

Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses including those permitted by zoning. We are not aware of any other particular restrictions on development.

The subject's significant water frontage and location near Baker's Haulover Inlet makers the subject a prime location for residential development.

Aerial I



Aerial II



Improvements Description and Analysis

The subject is an existing multifamily property containing 35 dwelling units, owned in a co-op form of ownership with 397 shares in the co-op corporation. The improvements were constructed in 1958 and include approximately $3,500,000 +/- in deferred maintenance. The site area is 1.13 acres or 49,223 square feet.

Improvements Analysis

Quality and Condition

The quality and condition of the subject is considered to be inferior to that of competing properties. The subject's building includes significant deferred maintenance and the interiors of units have reportedly not been updated for several decades.

Functional Utility

The subject's units include some functional obsolescence as wall air-conditioning units and the lack of all major appliances and washer/dryers within the interior of the units creates some functional obsolescence.

Deferred Maintenance

Deferred maintenance is identified based on the budget provided by ERF Construction group, Inc., dated March 9, 2015. The estimated cost to cure deferred maintenance, including building code and life safety issues is shown below.

Deferred Maintenance (Life Safety & Building Code Issues)

Item	Estimated Cost	
Built-Up Roof Replacement	Included Below	
Exit Stairs / Safety Codes	Included Below	
Plumbing	Included Below	
Waste Stacks	Included Below	
Parking Drainage	Included Below	
Windows	Included Below	
Balcony Sliding Doors	Included Below	
Air-Conditioning Units	Included Below	
Hand Railings	Included Below	
Swimming Pool Leaks	Included Below	
Floor Cracks / Structure	$3,536,477	
Total	$3,536,477	
	$101,042	Per Unit
	$8,908	Per Share

This budget does not include any interior restoration budgets and considers only structural, external and common element deferred maintenance.

Hazardous Substances

An environmental assessment report was not provided for review and environmental issues are beyond our scope of expertise. No hazardous substances were observed during our inspection of the improvements; however, we are not qualified to detect such substances. Unless otherwise stated, we assume no hazardous conditions exist on or near the subject.

Personal Property

No personal property items were observed that would have any material contribution to market value.

Conclusion of Improvements Analysis

Overall, the quality, condition, and functional utility of the improvements are below average for their age and location. The subject's deferred maintenance, which includes building code and life safety issues is a major concern and would most likely be considered by any potential buyer of an individual unit with the intent to occupy the unit.

Highest and Best Use

Process

Before a property can be valued, an opinion of highest and best use must be developed for the subject site, both as if vacant, and as improved or proposed. By definition, the highest and best use must be:

- Physically possible.
- Legally permissible under the zoning regulations and other restrictions that apply to the site.
- Financially feasible.
- Maximally productive, i.e., capable of producing the highest value from among the permissible, possible, and financially feasible uses.

As If Vacant

Physically Possible

The physical characteristics of the site do not appear to impose any unusual restrictions on development. Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses. The subject includes significant water frontage to Biscayne Bay with easy access to the Atlantic Ocean.

Legally Permissible

The site is zoned RM-1, Multiple-Family (Waterfront). Permitted uses include multifamily residential. To our knowledge, there are pending legal restrictions (historical designation) that could potentially limit the redevelopment of renovation of the subject's existing improvements. These restrictions would only apply to the existing improvements and not the site as if vacant. Given prevailing land use patterns in the area, only residential condo development is given further consideration in determining highest and best use of the site, as though vacant.

Financially Feasible

Based on our analysis of the market, there is currently adequate demand for residential condo development in the subject's area. It appears that a newly developed residential condo development on the site would have a value commensurate with its cost. Therefore, residential condo development is considered to be financially feasible.

Maximally Productive

There does not appear to be any reasonably probable use of the site that would generate a higher residual land value than residential condo development. Accordingly, it is our opinion that residential condo development, developed to the normal market density level permitted by zoning, is the maximally productive use of the property.

Conclusion

Development of the site for residential condo development is the only use that meets the four tests of highest and best use. Therefore, it is concluded to be the highest and best use of the property as if vacant.

As Improved

The subject site is developed with a 35-unit residential cooperative, which is consistent with the highest and best use of the site as if it were vacant. The existing improvements are dated and include significant deferred maintenance. The amount of the deferred maintenance does not allow for the long-term continuation of the subject in its current condition. Therefore, a continuation of this use is **not** financially feasible.

The subject's site, if vacant, would have a value significant greater than the subject's current improvements. The pending purchase contract is based on the potential redevelopment of the site and would not be executed by the buyer if redevelopment demolition potential is eliminated.

Based on our analysis, there does not appear to be any alternative use that could reasonably be expected to provide a higher present value than the redevelopment of the site, and the value of the existing improved property is actually lower than the value of the underling site, as if vacant. For these reasons, residential condo redevelopment is concluded to be maximally productive and the highest and best use of the property as improved.

Most Probable Buyer (If Not Historically Designated)

Taking into account the size and characteristics of the property and its waterfront location, the most likely buyer is a residential condo developer with experience developing luxury waterfront properties.

Most Probable Buyer (If Historically Designated)

Taking into account the condition of the subject's current improvements, if the subject were to be historically designated, severely limiting the redevelopment potential of the subject, the most likely buyer pool greatly diminishes due to the deferred maintenance liability and potential for significant special assessment or refinancing obligations to cure deferred maintenance. Individual buyers with short-term (less than 10 years) use intentions would possibly consider the subject for discounted pricing as compared to typical market pricing with long-term use and value preservation/growth expectations.

Valuation

Valuation Methodology

Appraisers usually consider three approaches to estimating the market value of real property. These are the cost approach, sales comparison approach and the income capitalization approach.

The **cost approach** assumes that the informed purchaser would pay no more than the cost of producing a substitute property with the same utility. This approach is particularly applicable when the improvements being appraised are relatively new and represent the highest and best use of the land or when the property has unique or specialized improvements for which there is little or no sales data from comparable properties.

The **sales comparison approach** assumes that an informed purchaser would pay no more for a property than the cost of acquiring another existing property with the same utility. This approach is especially appropriate when an active market provides sufficient reliable data. The sales comparison approach is less reliable in an inactive market or when estimating the value of properties for which no directly comparable sales data is available. The sales comparison approach is often relied upon for owner-user properties.

The **income capitalization approach** reflects the market's perception of a relationship between a property's potential income and its market value. This approach converts the anticipated net income from ownership of a property into a value indication through capitalization. The primary methods are direct capitalization and discounted cash flow analysis, with one or both methods applied, as appropriate. This approach is widely used in appraising income-producing properties.

Reconciliation of the various indications into a conclusion of value is based on an evaluation of the quantity and quality of available data in each approach and the applicability of each approach to the property type.

The methodology employed in this assignment is summarized as follows:

Approaches to Value

Approach	Applicability to Subject	Use in Assignment
Cost Approach	Not Applicable	Not Utilized
Sales Comparison Approach	Applicable	Utilized
Income Capitalization Approach	Not Applicable	Not Utilized

Valuation of the Subject by Sales Comparison Approach

The sales comparison approach develops an indication of value by comparing the subject to sales of similar properties. The steps taken to apply this approach are:

- Identify relevant property sales;
- Research, assemble, and verify pertinent data for the most relevant sales;

To apply the sales comparison approach, we searched for sale transactions within the following parameters:

- Property Type: Individual Residential Condo / Co-Op Units
- Location: Bay Harbor Islands
- Size: 1-and 2-bedroom units
- Age/Quality: Average / Built before 2000; Non-renovated
- Transaction Date: 2014 to Present

We have analyzed the historical sales form similar, waterfront, residential condo projects within Bay Harbor Islands. We have excluded renovated units as the subject's current condition includes significant deferred maintenance. We have analyzed the sale on a $/SF and a gross price ($).

One-Bedroom Units

The following chart illustrates the historical sales (2014-Present) of 1-bedroom units in Bay Harbor Islands. We have only considered the sale of units in waterfront buildings with a comparable age to the subject's existing units.

The sales indicate an average price ($) of $207,283 and an average $/SF of $222.97. The pricing has been increasing in 2015. Considering the size of the subject's units and recent increases, we estimate an average pricing of $275/SF for the subject's 1-bedroom units.

Bay Harbor Islands Condo Sales - 1-Bedroom Units

Project/Address	Waterfront	Sale Date	Sale Price ($)	Size (SF)	Sale Price/SF ($)
9381 E BAY HARBOR DR # 301-S	Yes	4/9/2015	$172,000	1,040	$165.38
10301 E BAY HARBOR DR # 9	Yes	3/27/2015	$145,000	624	$232.37
9800 W BAY HARBOR DR # 708	Yes	3/17/2015	$200,000	895	$223.46
9102 W BAY HARBOR DR # 4B	Yes	3/13/2015	$265,000	1,150	$230.43
10350 W BAY HARBOR DR # 6N	Yes	3/13/2015	$230,000	950	$242.11
10350 W BAY HARBOR DR # 8K	Yes	3/6/2015	$215,000	950	$226.32
10300 W BAY HARBOR DR # 3C	Yes	2/27/2015	$157,500	750	$210.00
9381 E BAY HARBOR DR # 404N	Yes	2/24/2015	$258,000	1,080	$238.89
9100 W BAY HARBOR DR # 7C	Yes	1/29/2015	$280,000	1,150	$243.48
9381 E BAY HARBOR DR # 202S	Yes	1/29/2015	$232,500	1,125	$206.67
10350 W BAY HARBOR DR # 8M	Yes	12/19/2014	$246,000	950	$258.95
9381 E BAY HARBOR DR # 601N	Yes	12/17/2014	$184,000	1,040	$176.92
10350 W BAY HARBOR DR # 3T	Yes	12/2/2014	$280,000	950	$294.74
10350 W BAY HARBOR DR # 3 U	Yes	11/26/2014	$265,000	950	$278.95
10350 W BAY HARBOR DR # 2S	Yes	10/29/2014	$243,900	950	$256.74
10350 W BAY HARBOR DR # 4L	Yes	10/14/2014	$250,000	950	$263.16
10250 W BAY HARBOR DR # 4G	Yes	10/3/2014	$168,000	698	$240.69
9500 W BAY HARBOR DR # 3F	Yes	10/1/2014	$189,000	975	$193.85
10250 W BAY HARBOR DR # 2E	Yes	9/3/2014	$120,000	694	$172.91
10350 W BAY HARBOR DR # 3V	Yes	8/25/2014	$283,000	990	$285.86
10350 W BAY HARBOR DR # 10N	Yes	8/15/2014	$248,000	950	$261.05
10300 W BAY HARBOR DR # 1B	Yes	7/24/2014	$149,000	750	$198.67
9381 E BAY HARBOR DR # 501S	Yes	7/18/2014	$195,000	1,040	$187.50
9270 W BAY HARBOR DR # 4D	Yes	5/19/2014	$159,000	1,029	$154.52
10350 W BAY HARBOR DR # 4-M	Yes	5/16/2014	$238,000	950	$250.53
10350 W BAY HARBOR DR # 4J	Yes	5/9/2014	$244,000	950	$256.84
9800 W BAY HARBOR DR # 405	Yes	5/6/2014	$155,000	895	$173.18
9800 W BAY HARBOR DR # 605	Yes	4/17/2014	$180,000	895	$201.12
9270 W BAY HARBOR DR # 4-F	Yes	4/15/2014	$195,000	1,029	$189.50
10250 W BAY HARBOR DR # 4B	Yes	4/2/2014	$175,000	692	$252.89
9800 W BAY HARBOR DR # 601	Yes	4/1/2014	$225,000	895	$251.40
10143 E BAY HARBOR DR # 8-C	Yes	4/1/2014	$138,000	616	$224.03
10350 W BAY HARBOR DR # 6S	Yes	3/11/2014	$280,000	950	$294.74
9270 W BAY HARBOR DR # 5G	Yes	1/30/2014	$175,000	1,054	$166.03
9100 W BAY HARBOR DR # 8C	Yes	1/27/2014	$115,000	1,150	$100.00
Total Sales:	**35**	**Average:**	**$207,283**	**934**	**$222.97**

Two-Bedroom Units

The following chart illustrates the historical sales (2014-Present) of 2-bedroom units in Bay Harbor Islands. We have only considered the sale of units in waterfront buildings with a comparable age to the subject's existing units.

The sales indicate an average price ($) of $312,978 and an average $/SF of $221.47. The pricing has been increasing in 2015. Considering the size of the subject's units and recent increases, we estimate an average pricing of $275/SF for the subject's 2-bedroom units.

Bay Harbor Islands Condo Sales - 2-Bedroom Units					
Project/Address	Waterfront	Sale Date	Sale Price ($)	Size (SF)	Sale Price/SF ($)
10143 E BAY HARBOR DR # 6B	Yes	4/30/2015	$230,000	840	$273.81
9800 W BAY HARBOR DR # 409	Yes	4/16/2015	$278,000	1,050	$264.76
9660 W BAY HARBOR DR # 3C	Yes	4/2/2015	$340,000	1,225	$277.55
9100 W BAY HARBOR DR # 2D-E	Yes	3/31/2015	$450,000	1,820	$247.25
9660 W BAY HARBOR DR # 4F	Yes	3/27/2015	$330,000	1,225	$269.39
9721 E BAY HARBOR DR # 2B	Yes	3/25/2015	$346,000	1,288	$268.63
9100 W BAY HARBOR DR # 2A	Yes	3/17/2015	$375,000	1,770	$211.86
10101 E Bay Harbor Dr # 408	Yes	3/16/2015	$320,000	1,300	$246.15
9100 W BAY HARBOR DR # 6A	Yes	3/13/2015	$450,000	1,770	$254.24
9341 E BAY HARBOR DR # 6C	Yes	2/23/2015	$300,000	1,510	$198.68
10000 W BAY HARBOR DR # 503	Yes	1/13/2015	$410,000	1,484	$276.28
9111 E BAY HARBOR DR # PH-F	Yes	1/9/2015	$199,000	1,240	$160.48
10250 W BAY HARBOR DR # 2A	Yes	12/30/2014	$270,000	1,020	$264.71
9100 W BAY HARBOR DR # 3A	Yes	12/29/2014	$370,000	1,770	$209.04
9101 E BAY HARBOR DR # 205	Yes	12/29/2014	$185,000	1,106	$167.27
9100 W BAY HARBOR DR # 7AE	Yes	12/26/2014	$410,000	1,770	$231.64
10350 W BAY HARBOR DR # 4G	Yes	12/16/2014	$285,000	1,230	$231.71
9500 W BAY HARBOR DR # 4D	Yes	12/12/2014	$274,000	1,100	$249.09
9120 W BAY HARBOR DR # 2B	Yes	11/24/2014	$360,000	1,800	$200.00
10000 W BAY HARBOR DR # 221	Yes	9/26/2014	$270,000	1,441	$187.37
9660 W BAY HARBOR DR # PH-D	Yes	9/9/2014	$395,000	1,640	$240.85
10101 E BAY HARBOR DR # 210	Yes	8/28/2014	$270,000	1,300	$207.69
10000 W BAY HARBOR DR # 321	Yes	7/29/2014	$320,000	1,441	$222.07
9501 E BAY HARBOR DR # 4A	Yes	7/28/2014	$325,000	1,485	$218.86
9660 W BAY HARBOR DR # 2A	Yes	7/18/2014	$310,000	1,640	$189.02
9102 W BAY HARBOR DR # 3-D	Yes	7/8/2014	$330,000	1,820	$181.32
9341 E BAY HARBOR DR # 3B	Yes	6/26/2014	$305,000	1,640	$185.98
10180 W BAY HARBOR DR # 3A	Yes	6/25/2014	$431,000	2,045	$210.76
10000 W BAY HARBOR DR # 521	Yes	6/18/2014	$200,000	1,441	$138.79
10101 E BAY HARBOR DR # 209	Yes	6/13/2014	$255,000	1,300	$196.15
9180 W BAY HARBOR DR # 3B	Yes	6/12/2014	$355,000	1,490	$238.26
9102 W BAY HARBOR DR # 6A	Yes	6/2/2014	$375,000	1,770	$211.86
10101 E BAY HARBOR DR # 505	Yes	6/2/2014	$335,000	1,300	$257.69
10101 E BAY HARBOR DR # 307	Yes	5/22/2014	$340,000	1,300	$261.54
9101 E BAY HARBOR DR # 405	Yes	5/19/2014	$275,000	1,106	$248.64
9180 W BAY HARBOR DR # PHC	Yes	5/13/2014	$366,000	1,540	$237.66
10300 W Bay Harbor Dr # 2A	Yes	4/28/2014	$135,000	980	$137.76
10000 W BAY HARBOR DR # 322	Yes	4/24/2014	$300,000	1,484	$202.16
9800 W BAY HARBOR DR # 603	Yes	4/21/2014	$325,000	1,100	$295.45
9100 W BAY HARBOR DR # 8D	Yes	4/1/2014	$400,000	1,820	$219.78
10000 W BAY HARBOR DR # 622	Yes	4/1/2014	$295,000	1,484	$198.79
10350 W BAY HARBOR DR # 6H	Yes	3/28/2014	$283,000	1,335	$211.99
9111 E BAY HARBOR DR # 3F	Yes	3/12/2014	$249,000	1,240	$200.81
9101 E BAY HARBOR DR # 504	Yes	3/3/2014	$200,000	1,106	$180.83
9900 W BAY HARBOR DR # 3	Yes	2/28/2014	$315,000	1,630	$193.25
10180 W BAY HARBOR DR # 4B	Yes	2/27/2014	$359,779	1,945	$184.98
9101 E BAY HARBOR DR # 1004	Yes	2/10/2014	$213,000	1,106	$192.59
10350 W BAY HARBOR DR # 7P	Yes	2/3/2014	$358,000	1,340	$267.16
10350 W BAY HARBOR DR # PHP	Yes	2/3/2014	$288,000	1,340	$214.93
9660 W BAY HARBOR DR # 6C	Yes	1/28/2014	$295,000	1,225	$240.82
9800 W BAY HARBOR DR # 710	Yes	1/10/2014	$300,000	1,350	$222.22
10000 W BAY HARBOR DR # 323	Yes	1/9/2014	$320,100	1,484	$215.70
Total Sales:	52	Average:	$312,978	1,423	$221.47

Sales Pricing Conclusion

The following chart illustrates the estimated aggregate pricing of the subject's individual units based on IRR-Miami's pricing estimates. The sales data represent relevant waterfront condo buildings, constructed pre-2000, and in which units had not been materially renovated. The highest indicated pricing (without direct consideration for $3,500,000 +/- in deferred maintenance) is best evidenced in the range of $250-275/SF.

We estimate an aggregate value of the subject's individual units to be significantly less than the current purchase contract ($16,500,000) as follows:

IRR-Miami Estimated Sales Pricing							
Unit Type	No. of Units	Total Size (SF)	No. of Shares	IRR-Miami Pricing	Aggregate Pricing	$ Per Unit	$ Per Share
1-Bedroom	25	18,750	262	$275	$5,156,250	$206,250	$19,680
2-Bedroom	10	10,000	135	$275	$2,750,000	$275,000	$20,370
	35		397		**$7,906,250**	**$225,893**	**$19,915**

The estimated IRR-Miami pricing estimates is greater than the following sales that have occurred within the subject's cooperative in recent years. Our higher pricing is estimated due to the increase in the residential market since the time of the sales.

Bay Harbor Islands Continental, Inc. Recent Sales History					
Unit #	Sale Date	Unit Type	Sale Price	# of Shares	Price Per Share ($)
B5	12/10/2013	1-Bedroom	$200,000	11	$18,182
G5	3/15/2012	2-Bedroom	$215,500	14	$15,393
C3	2/17/2010	1-Bedroom	$145,000	10	$14,500
C4	6/12/2009	1-Bedroom	$115,000	10	$11,500

Potential Economic Hardship

We have previously estimated the aggregate market value of the subject's individual units as if sold on an individual basis. The subject's owner has the opportunity to sell the entire cooperative at a price of $16,500,000, which is far greater than the market value of the aggregate value of the individual units.

The buyer of the subject plans to demolish the building and redevelop the subject into a modern residential condominium project. The subject is pending historical designation buy the Miami-Dade County historical preservation board, which would diminish the buyer's ability to redevelop the subject's site. The difference in values is estimated be the economic hardship to the subject's current owners, if the subject is designated as an historic building.

Potential Economic Hardship Analysis (Bay Harbor Islands, Inc.)

Unit Type	No. of Units	Total Size (SF)	No. of Shares	IRR-Miami Pricing ($/SF)	Aggregate Pricing	Implied Price $/Unit	Implied Price $/Share
1-Bedroom	25	18,750	262	$275	$5,156,250	$206,250	$19,680
2-Bedroom	10	10,000	135	$275	$2,750,000	$275,000	$20,370
	35		397		**$7,906,250**	**$225,893**	**$19,915**
				Current Purchase Contract:	$16,500,000	$471,429	$41,562
				***Potential Economic Hardship:**	**($8,593,750)**	**($245,536)**	**($21,647)**

***Does not account for additional economic hardship imposed by existing deferred maintenance.**
***Does not inlcude any negative tax implications to the shareholders resulting from the sale of the cooperative.**

In addition, the subject's current improvements include a significant amount of deferred maintenance ($3,500,000 +/-), including building code and life safety issues. The subject's owners/shareholders will likely see their current value continue to erode as the deferred maintenance will likely increase as time goes on and the subject's owner's will have limited avenues to pursue feasible restoration options without significant special assessments, which are not financially feasible given current pricing. As the deferred maintenance continues to increase, the market value of each individual unit will continue to decline.

Reconciliation and Conclusion

The following chart illustrates the concluded economic hardship to the subject's unit owners **IF** the subject is historically designated.

Value Conclusion

Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion	
Potential Economic Hardship	Fee Simple	May 4, 2015	($8,593,750)	
			($245,536)	Per Unit
			($21,647)	Per Share

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. The appraisers have relied upon deferred maintenance information by ERF Construction Group, LLC, as provided by the client. The appraisers have relied upon this information for its analysis of future potential economic hardship to the owners of the subject.
2. The appraisers are aware of several variable tax implications associated with the sale of the co-op entity. The tax analysis on potential sale proceeds to the co-op and individual shareholders is beyond the scope of this assignment. Our analysis of potential economic hardship is based on pre-tax analysis. It is the appraisers understanding that the buyer (client) has assisted the shareholders (owners) with tax consulting and analysis of lowering any potential tax burden on the shareholders.
3. The appraisers have used the current purchase and sale contract as provided by the client as a determination of potential sale proceeds. The appraisers assume that the buyer is still willing and able to execute the sale of the subject at the described price and terms.

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None

Exposure Time

Exposure time is the length of time the subject property would have been exposed for sale in the market had it sold on the effective valuation date at the concluded market value. Based on the concluded market value stated previously, it is our opinion that the probable exposure time is 6-9 months.

Marketing Period

Marketing time is an estimate of the amount of time it might take to sell a property at the concluded market value immediately following the effective date of value. We estimate the subject's marketing period at 6-9 months.

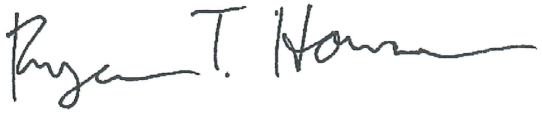
Certification

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have previously provided market pricing research services regarding the potential redevelopment of the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice as well as applicable state appraisal regulations.
9. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
10. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
11. Anthony M. Graziano, MAI, CRE, made a personal inspection of the property that is the subject of this report. Ryan T. Homan, MAI, has personally inspected the subject.
12. No one provided significant real property appraisal assistance to the person(s) signing this certification.
13. We have experience in appraising properties similar to the subject and are in compliance with the Competency Rule of USPAP.
14. As of the date of this report, Anthony M. Graziano, MAI, CRE, and Ryan T. Homan, MAI, have completed the continuing education program for Designated Members of the Appraisal Institute.



Anthony M. Graziano, MAI, CRE
FL State-Certified Real Estate Appraiser #3510



Ryan T. Homan, MAI
FL State-Certified Real Estate Appraiser #3550

Assumptions and Limiting Conditions

This appraisal and any other work product related to this engagement are limited by the following standard assumptions, except as otherwise noted in the report:

1. The title is marketable and free and clear of all liens, encumbrances, encroachments, easements and restrictions. The property is under responsible ownership and competent management and is available for its highest and best use.
2. There are no existing judgments or pending or threatened litigation that could affect the value of the property.
3. There are no hidden or undisclosed conditions of the land or of the improvements that would render the property more or less valuable. Furthermore, there is no asbestos in the property.
4. The revenue stamps placed on any deed referenced herein to indicate the sale price are in correct relation to the actual dollar amount of the transaction.
5. The property is in compliance with all applicable building, environmental, zoning, and other federal, state and local laws, regulations and codes.
6. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.

This appraisal and any other work product related to this engagement are subject to the following limiting conditions, except as otherwise noted in the report:

1. An appraisal is inherently subjective and represents our opinion as to the value of the property appraised.
2. The conclusions stated in our appraisal apply only as of the effective date of the appraisal, and no representation is made as to the effect of subsequent events.
3. No changes in any federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated.
4. No environmental impact studies were either requested or made in conjunction with this appraisal, and we reserve the right to revise or rescind any of the value opinions based upon any subsequent environmental impact studies. If any environmental impact statement is required by law, the appraisal assumes that such statement will be favorable and will be approved by the appropriate regulatory bodies.
5. Unless otherwise agreed to in writing, we are not required to give testimony, respond to any subpoena or attend any court, governmental or other hearing with reference to the property without compensation relative to such additional employment.
6. We have made no survey of the property and assume no responsibility in connection with such matters. Any sketch or survey of the property included in this report is for illustrative purposes only and should not be considered to be scaled accurately for size. The appraisal

covers the property as described in this report, and the areas and dimensions set forth are assumed to be correct.

7. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any, and we have assumed that the property is not subject to surface entry for the exploration or removal of such materials, unless otherwise noted in our appraisal.

8. We accept no responsibility for considerations requiring expertise in other fields. Such considerations include, but are not limited to, legal descriptions and other legal matters such as legal title, geologic considerations such as soils and seismic stability; and civil, mechanical, electrical, structural and other engineering and environmental matters. Such considerations may also include determinations of compliance with zoning and other federal, state, and local laws, regulations and codes.

9. The distribution of the total valuation in the report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used. The appraisal report shall be considered only in its entirety. No part of the appraisal report shall be utilized separately or out of context.

10. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or any reference to the Appraisal Institute) shall be disseminated through advertising media, public relations media, news media or any other means of communication (including without limitation prospectuses, private offering memoranda and other offering material provided to prospective investors) without the prior written consent of the persons signing the report.

11. Information, estimates and opinions contained in the report and obtained from third-party sources are assumed to be reliable and have not been independently verified.

12. Any income and expense estimates contained in the appraisal report are used only for the purpose of estimating value and do not constitute predictions of future operating results.

13. If the property is subject to one or more leases, any estimate of residual value contained in the appraisal may be particularly affected by significant changes in the condition of the economy, of the real estate industry, or of the appraised property at the time these leases expire or otherwise terminate.

14. Unless otherwise stated in the report, no consideration has been given to personal property located on the premises or to the cost of moving or relocating such personal property; only the real property has been considered.

15. The current purchasing power of the dollar is the basis for the values stated in the appraisal; we have assumed that no extreme fluctuations in economic cycles will occur.

16. The values found herein are subject to these and to any other assumptions or conditions set forth in the body of this report but which may have been omitted from this list of Assumptions and Limiting Conditions.

17. The analyses contained in the report necessarily incorporate numerous estimates and assumptions regarding property performance, general and local business and economic

conditions, the absence of material changes in the competitive environment and other matters. Some estimates or assumptions, however, inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by our analysis will vary from our estimates, and the variations may be material.

18. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether the physical aspects of the improvements meet the ADA accessibility guidelines. We claim no expertise in ADA issues, and render no opinion regarding compliance of the subject with ADA regulations. Inasmuch as compliance matches each owner's financial ability with the cost to cure the non-conforming physical characteristics of a property, a specific study of both the owner's financial ability and the cost to cure any deficiencies would be needed for the Department of Justice to determine compliance.

19. The appraisal report is prepared for the exclusive benefit of the Client, its subsidiaries and/or affiliates. It may not be used or relied upon by any other party. All parties who use or rely upon any information in the report without our written consent do so at their own risk.

20. No studies have been provided to us indicating the presence or absence of hazardous materials on the subject property or in the improvements, and our valuation is predicated upon the assumption that the subject property is free and clear of any environment hazards including, without limitation, hazardous wastes, toxic substances and mold. No representations or warranties are made regarding the environmental condition of the subject property. Integra Realty Resources – Miami/Palm Beach, Integra Realty Resources, Inc., Integra Strategic Ventures, Inc. and/or any of their respective officers, owners, managers, directors, agents, subcontractors or employees (the "Integra Parties"), shall not be responsible for any such environmental conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because we are not experts in the field of environmental conditions, the appraisal report cannot be considered as an environmental assessment of the subject property.

21. The persons signing the report may have reviewed available flood maps and may have noted in the appraisal report whether the subject property is located in an identified Special Flood Hazard Area. We are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property, and the value conclusion is predicated on the assumption that wetlands are non-existent or minimal.

22. Integra Realty Resources – Miami/Palm Beach is not a building or environmental inspector. Integra Miami/Palm Beach does not guarantee that the subject property is free of defects or environmental problems. Mold may be present in the subject property and a professional inspection is recommended.

23. The appraisal report and value conclusions for an appraisal assume the satisfactory completion of construction, repairs or alterations in a workmanlike manner.

24. It is expressly acknowledged that in any action which may be brought against any of the Integra Parties, arising out of, relating to, or in any way pertaining to this engagement, the

appraisal reports, and/or any other related work product, the Integra Parties shall not be responsible or liable for any incidental or consequential damages or losses, unless the appraisal was fraudulent or prepared with intentional misconduct. It is further acknowledged that the collective liability of the Integra Parties in any such action shall not exceed the fees paid for the preparation of the appraisal report unless the appraisal was fraudulent or prepared with intentional misconduct. Finally, it is acknowledged that the fees charged herein are in reliance upon the foregoing limitations of liability.

25. Integra Realty Resources – Miami/Palm Beach, an independently owned and operated company, has prepared the appraisal for the specific intended use stated elsewhere in the report. The use of the appraisal report by anyone other than the Client is prohibited except as otherwise provided. Accordingly, the appraisal report is addressed to and shall be solely for the Client's use and benefit unless we provide our prior written consent. We expressly reserve the unrestricted right to withhold our consent to your disclosure of the appraisal report or any other work product related to the engagement (or any part thereof including, without limitation, conclusions of value and our identity), to any third parties. Stated again for clarification, unless our prior written consent is obtained, no third party may rely on the appraisal report (even if their reliance was foreseeable).

26. The conclusions of this report are estimates based on known current trends and reasonably foreseeable future occurrences. These estimates are based partly on property information, data obtained in public records, interviews, existing trends, buyer-seller decision criteria in the current market, and research conducted by third parties, and such data are not always completely reliable. The Integra Parties are not responsible for these and other future occurrences that could not have reasonably been foreseen on the effective date of this assignment. Furthermore, it is inevitable that some assumptions will not materialize and that unanticipated events may occur that will likely affect actual performance. While we are of the opinion that our findings are reasonable based on current market conditions, we do not represent that these estimates will actually be achieved, as they are subject to considerable risk and uncertainty. Moreover, we assume competent and effective management and marketing for the duration of the projected holding period of this property.

27. All prospective value opinions presented in this report are estimates and forecasts which are prospective in nature and are subject to considerable risk and uncertainty. In addition to the contingencies noted in the preceding paragraph, several events may occur that could substantially alter the outcome of our estimates such as, but not limited to changes in the economy, interest rates, and capitalization rates, behavior of consumers, investors and lenders, fire and other physical destruction, changes in title or conveyances of easements and deed restrictions, etc. It is assumed that conditions reasonably foreseeable at the present time are consistent or similar with the future.

28. The appraisal is also subject to the following:

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. The appraisers have relied upon deferred maintenance information by ERF Construction Group, LLC, as provided by the client. The appraisers have relied upon this information for its analysis of future potential economic hardship to the owners of the subject.
2. The appraisers are aware of several variable tax implications associated with the sale of the co-op entity. The tax analysis on potential sale proceeds to the co-op and individual shareholders is beyond the scope of this assignment. Our analysis of potential economic hardship is based on pre-tax analysis. It is the appraisers understanding that the buyer (client) has assisted the shareholders (owners) with tax consulting and analysis of lowering any potential tax burden on the shareholders.
3. The appraisers have used the current purchase and sale contract as provided by the client as a determination of potential sale proceeds. The appraisers assume that the buyer is still willing and able to execute the sale of the subject at the described price and terms.

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None

Addendum A

Appraiser Qualifications

Anthony M. Graziano, MAI, CRE

Integra Realty Resources
Miami/Palm Beach

The Douglas Centre
2600 Douglas Road, Suite 801
Coral Gables, FL 33134

T 305.670.0001
F 305.670.2276

irr.com

Experience

Senior Managing Director of Integra Realty Resources – Miami/Palm Beach.

Mr. Graziano has actively counseled and advised clients on the sale, leasing, valuation, management, and development of commercial real estate assets throughout New Jersey and the northeast U.S. since 1992. Mr. Graziano served as the Managing Director of IRR-Coastal NJ from 1999-2011. Mr. Graziano was retained in 2012 to serve as Senior Managing Director of IRR - Miami/Palm Beach.

Mr. Graziano's unique professional perspective is a blend of his educational background which includes formal training in architecture, urban planning, macro and micro economics, real estate finance, institutional asset management, and land development. His market experience in sales, leasing, management, and valuation disciplines combine to bring practical real world answers to complex planning and development projects. He has been actively involved as a consultant and/or member of a consultant team on various major redevelopment and land use projects for public and private clients over the past 20+ years.

Mr. Graziano has specialized in consulting and valuation assignments for corporate and private clients on a wide array of complex issues related to estate and condemnation matters, title defects, environmental contamination/damages, air rights, partial and fractional interests, contract disputes, and mediation/arbitration disputes. Mr. Graziano's experience in these matters provides a comprehensive framework for effective strategic real estate consulting.

Professional Activities & Affiliations

Member: Economic Roundtable - Miami Beacon Council (2012-present)
Board of Director: Integra Realty Resources, Inc. (2011-present)
Director: South Florida Chapter of the Appraisal Institute (2014-2015)
Member: University of Miami Alumni Association
Advisory Board Member: Urban Land Institute-South Florida
Board Member: Builders Association of South Florida (BASF)
Subject Matter Expert (SME): Appraisal Practice Board, Appraisal Foundation
Member: Appraisal Institute (MAI)
Member: Counselors of Real Estate (CRE)
Fellow: Royal Institute of Chartered Surveyors (FRICS) (2014)
International Association of Assessing Officers (IAAO)
National Association of Realtors (REALTOR)
AI Leadership Development Advisory Council, March 1998 - February 2001
Lifetime Member: National Eagle Scout Association (NESA)

Licenses

Florida, State-Certified General Real Estate Appraiser, RZ3510
New Jersey, State-Certified General Real Estate Appraiser, RG001261

Education

University of Miami, Coral Gables, Florida 1988-1992
Degree: Bachelor of Science in Land Development and Planning, School of Architecture

New York University Real Estate Institute, New York, New York 1993-1996
Degree: Master of Science in Real Estate Development and Investment

amgraziano@irr.com - 305.670.0001 x320

Anthony M. Graziano, MAI, CRE

Qualified Before Courts & Administrative Bodies

Qualified and accepted as an expert before the Federal Bankruptcy Court (Newark & Southern District of Texas); US Federal District Court (Southern District of Florida); Florida Circuit Court (Miami-Dade and Broward Counties); NJ State Tax Court; NJ Superior Court - Chancery Division; NJ Superior Court - Law Division; Monmouth, Atlantic, and Ocean County Boards of Taxation; various municipal planning and zoning boards throughout New Jersey.

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RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER	
RZ3510	

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

GRAZIANO, ANTHONY MICHAEL
2600 DOUGLAS ROAD SUITE 801
CORAL GABLES FL 33134

ISSUED: 11/30/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1411300002862

Ryan T. Homan, MAI

Integra Realty Resources
Miami/Palm Beach

The Douglas Centre
2600 Douglas Road, Suite 801
Coral Gables, FL 33134

T 305-670-0001
F 305-670-2276

irr.com

Experience

Associate Director with Integra Realty Resources - Miami/Palm Beach.

Ryan Homan has over 10 years of commercial real estate experience. Mr. Homan began his career as an appraiser with Ohio Real Estate Consultants, Inc.

Mr. Homan leads the market study group for IRR-Miami/Palm Beach. The group provides extensive research, analysis and reporting to property owners and developers of various property types on market trends, opportunities, marketability, and feasibility of development projects and land. The group's experience includes assessing the market drivers, supply & demand and financial feasibility of mixed-use, residential, office, retail, hospitality and marina assets throughout South Florida. Mr. Homan has specific competency in HUD MAP market studies nationally.

Mr. Homan also provides appraisal and consulting services to institutional and banking clients for all major asset classes, including multifamily, retail, office, hospitality, industrial, vacant land and special-use properties. Mr. Homan specializes in multifamily analysis, including market rate and affordable housing as well as condominium development. Mr. Homan's multifamily experience includes market and feasibility studies, highest and best use analysis, HUD MAP, LIHTC (Low Income Housing Tax Credits), subsidized housing, new development and distressed asset/renovation analysis.

Mr. Homan is a member of the Urban Land Institute (ULI) of South Florida, and a designated MAI member of the Appraisal Institute.

Professional Activities & Affiliations

Appraisal Institute, Member (MAI)
Urban Land Institute, Member (ULI)
Young Leaders Group
Housing Committee

Licenses

Florida, State-Certified General Real Estate Appraiser, RZ3550

Education

The Ohio State University, Columbus, OH 2000-2004
Bachelor of Science in Business Administration, Finance and Real Estate & Urban Analysis

rhoman@irr.com - 305-670-0001 x348

DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER	
RZ3550	

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

HOMAN, RYAN THOMAS
9400 S DADELAND BLVD PH 1
MIAMI FL 33156

ISSUED: 11/30/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1411300002874

Integra Realty Resources, Inc.
Corporate Profile

Integra Realty Resources, Inc. offers the most comprehensive property valuation and counseling coverage in the United States with 61 independently owned and operated offices in 34 states and the Caribbean. Integra was created for the purpose of combining the intimate knowledge of well-established local firms with the powerful resources and capabilities of a national company. Integra offers integrated technology, national data and information systems, as well as standardized valuation models and report formats for ease of client review and analysis. Integra's local offices have an average of 25 years of service in the local market, and virtually all are headed by a Senior Managing Director who is an MAI member of the Appraisal Institute.

A listing of IRR's local offices and their Senior Managing Directors follows:

ATLANTA, GA - Sherry L. Watkins., MAI, FRICS
AUSTIN, TX - Randy A. Williams, MAI, SR/WA, FRICS
BALTIMORE, MD - G. Edward Kerr, MAI, MRICS
BIRMINGHAM, AL - Rusty Rich, MAI, MRICS
BOISE, ID - Bradford T. Knipe, MAI, ARA, CCIM, CRE, FRICS
BOSTON, MA - David L. Cary, Jr., MAI, MRICS
CHARLESTON, SC - Cleveland "Bud" Wright, Jr., MAI
CHARLOTTE, NC - Fitzhugh L. Stout, MAI, CRE, FRICS
CHICAGO, IL - Eric L. Enloe, MAI, FRICS
CINCINNATI, OH - Gary S. Wright, MAI, FRICS, SRA
CLEVELAND, OH - Douglas P. Sloan, MAI
COLUMBIA, SC - Michael B. Dodds, MAI, CCIM
COLUMBUS, OH - Bruce A. Daubner, MAI, FRICS
DALLAS, TX - Mark R. Lamb, MAI, CPA, FRICS
DAYTON, OH - Gary S. Wright, MAI, FRICS, SRA
DENVER, CO - Brad A. Weiman, MAI, FRICS
DETROIT, MI - Anthony Sanna, MAI, CRE, FRICS
FORT WORTH, TX - Gregory B. Cook, SR/WA
GREENSBORO, NC - Nancy Tritt, MAI, SRA, FRICS
GREENVILLE, SC - Michael B. Dodds, MAI, CCIM
HARTFORD, CT - Mark F. Bates, MAI, CRE, FRICS
HOUSTON, TX - David R. Dominy, MAI, CRE, FRICS
INDIANAPOLIS, IN - Michael C. Lady, MAI, SRA, CCIM, FRICS
JACKSON, MS - J. Walter Allen, MAI, FRICS
JACKSONVILLE, FL - Robert Crenshaw, MAI, FRICS
KANSAS CITY, MO/KS - Kenneth Jaggers, MAI, FRICS
LAS VEGAS, NV - Charles E. Jack IV, MAI
LOS ANGELES, CA - John G. Ellis, MAI, CRE, FRICS
LOS ANGELES, CA - Matthew J. Swanson, MAI
LOUISVILLE, KY - Stacey Nicholas, MAI, MRICS
MEMPHIS, TN - J. Walter Allen, MAI, FRICS
MIAMI, FL- Anthony M. Graziano, MAI, CRE, FRICS
MINNEAPOLIS, MN - Michael F. Amundson, MAI, CCIM, FRICS
NAPLES, FL - Carlton J. Lloyd, MAI, FRICS
NASHVILLE, TN - R. Paul Perutelli, MAI, SRA, FRICS
NEW JERSEY COASTAL - Halvor J. Egeland, MAI
NEW JERSEY NORTHERN - Matthew S. Krauser, CRE, FRICS
NEW YORK, NY - Raymond T. Cirz, MAI, CRE, FRICS
ORANGE COUNTY, CA - Larry D. Webb, MAI, FRICS
ORLANDO, FL - Christopher Starkey, MAI, MRICS
PHILADELPHIA, PA - Joseph D. Pasquarella, MAI, CRE, FRICS
PHOENIX, AZ - Walter 'Tres' Winius III, MAI, FRICS
PITTSBURGH, PA - Paul D. Griffith, MAI, CRE, FRICS
PORTLAND, OR - Brian A. Glanville, MAI, CRE, FRICS
PROVIDENCE, RI - Gerard H. McDonough, MAI, FRICS
RALEIGH, NC - Chris R. Morris, MAI, FRICS
RICHMOND, VA - Kenneth L. Brown, MAI, CCIM, FRICS
SACRAMENTO, CA - Scott Beebe, MAI, FRICS
ST. LOUIS, MO - P. Ryan McDonald, MAI, FRICS
SALT LAKE CITY, UT - Darrin W. Liddell, MAI, CCIM, FRICS
SAN DIEGO, CA - Jeff A. Greenwald, MAI, SRA, FRICS
SAN FRANCISCO, CA - Jan Kleczewski, MAI, FRICS
SARASOTA, FL - Carlton J. Lloyd, MAI, FRICS
SAVANNAH, GA - J. Carl Schultz, Jr., MAI, FRICS, CRE, SRA
SEATTLE, WA - Allen N. Safer, MAI, MRICS
SYRACUSE, NY - William J. Kimball, MAI, FRICS
TAMPA, FL - Bradford L. Johnson, MAI, MRICS
TULSA, OK - Owen S. Ard, MAI
WASHINGTON, DC - Patrick C. Kerr, MAI, SRA, FRICS
WILMINGTON, DE - Douglas L. Nickel, MAI, FRICS
CARIBBEAN/CAYMAN ISLANDS - James Andrews, MAI, FRICS

Corporate Office
Eleven Times Square, 640 Eighth Avenue, 15th Floor, Suite A, New York, New York 10036
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Website: www.irr.com

Addendum B

Financials and Property Information

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 5/3/2015

Property Information	
Folio:	13-2227-026-0001
Property Address:	
Owner	REFERENCE ONLY
Mailing Address	
Primary Zone	4700 MULTI-FAMILY - CO-OPS
Primary Land Use	0000 REFERENCE FOLIO
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	0 Sq.Ft
Year Built	0



Assessment Information			
Year	2014	2013	2012
Land Value	$0	$0	$0
Building Value	$0	$0	$0
XF Value	$0	$0	$0
Market Value	$0	$0	$0
Assessed Value	$0	$0	$0

Taxable Value Information			
	2014	2013	2012
County			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
City			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0

Benefits Information				
Benefit	Type	2014	2013	2012
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description
BAY HARBOR CONTINENTAL CO-OP BAY HARBOR ISLAND PB 46-5 LOT F LESS S11FT

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

Version:

ERF
construction group inc

Mr. Robert Kolbert
President
Bay Harbor Continental Inc.
1135 103rd Street
Bay Harbor Islands, Fl 33154

Personal and confidential

In accordance to our proposal letter as of March 9, 2015 we are herewith submitting the report documenting our observations conducted on March 9, 2015 at Bay Harbor Continental building located at 1135 103 Street, Bay Harbor Islands, Florida

Areas Observed:

- Common areas; Roof, stairs, parking, recreational pool areas and sea wall.

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- Apartments 2A, 2C, 4A 5C.

General characteristics:

- The construction of the building was performed in 1958
  Consisting of 35 (one and two bedroom) apartments.
- The subject is a 57 years old building, requiring major up-grades to comply with current up to date safety codes and standards.
- The Building stands below Base Flood Elevation.

Note: No construction plans were available.

Findings:

1. Built up roof needs replacement, leaks were reported, membrane adhesion to roof failures observed.
2. Exit stairs door do not shut properly to meet safety codes. Egress signage missing or damaged.
3. Insufficient water pressure in some of the apartments indicating old clogged and rusted plumbing.
4. Frequent waste stacks clogged were reported.
5. Parking drainage deficiency reported.

6. Glass jalousie windows are not air sealed and do not comply with energy codes and do not comply with current wind loads codes (safety issue). Water intrusion at multiple locations.
7. Balcony sliding doors not working properly.
8. Air conditioning units protrude into required egress width of corridors, presenting a safety issue and/or other accessibility issues.
10. Hand railings corroded and broken at several places.
11. Swimming pool leaks reported.
12. Floor cracks were noted due to possible hydrostatic pressure given below BFE structure.

Rising water levels anticipated in the future should be of important concern.

Cost analysis:

In the attached table it is our main objective to quantify the cost of refurbishing the building, exclusively addressing safety and the 11 fundamental issues mentioned above.

Notes:

The estimates provided are based on a one day observation trip and standard estimating techniques, and cost information you have provided and therefore no representation or warranty is given or implied as to the information or pricing that is presented.

*Even though no testing was performed, we can expect the presence of lead paint under the layers of paint or exposed in certain areas which constitutes a health hazard to the residents. Lead mitigation costs increase remodeling costs substantially, especially when the peeling method becomes an essential method and toxicity levels are high (regarding the disposal sites). In our experience when lead paint existence is detected, peeling mitigation method costs could be as high as $20,000 per apartment, without taking in consideration the relocation of residents, inconvenience. Encapsulation method, which is substantially less costly, is not recommended when partial demolition of surfaces is necessary to upgrade the rough-in plumbing and electrical items.

*Residents' relocation during construction is essential.

The partial repair cost estimates attached as Exhibit 1, focusing on the eleven (11) functionality issues cost analysis is further complicated by shared common elements (sanitary pipes, conduits ext.) will require that all unit owners must agree unanimously to the upgrade works to be performed.

As requested, our experience as contractors in the COMPREHENSIVE remodeling of 1,200 units built in the 1950s, the cost for the upgrade and remodeling of the Bay Harbor Continental units, including common areas would be in the range of $160,000 to $200,000 per unit with standard finishes.
Furthermore, a RESTORATION is a much more expensive and a difficult undertaking that will require a multi-level expertise and an in-depth detailed inspection. A basic estimate has been shown.

Emilio Fagundo
President
ERF Consultant Group

Exhibit A: Estimated Costs for Obsolete Functionality Items.
Exhibit B: Estimated Costs for Restoration

ESTIMATED COSTS

Bay Harbor Continental, 1135 103rd Street, Bay Harbor Island, Bay Harbor, FL

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Cost	Total Sub-Contractor Costs	Total Estimated
Built Up Roof	Square Feet	7000	$7.00	$49,000.00		$0.00	$6.00	$42,000.00	$91,000.00
Stairs Doors	Each	10	$2,500.00	$25,000.00	$600.00	$6,000.00		$0.00	$31,000.00
Potable Water Rough Ins	Units	33	$1,200	$42,000	$2,500	$87,500		$0	$129,500
Sanitary and Soil Stacks Rough Ins	4000	33	$1,800	$63,000	$2,500	$87,500		$0	$150,500
Electrical Wiring	LS	33	$1,500	$52,500		$0	$1,500	$52,500	$105,000
New Windows and Sliding Doors	Units	100	$2,500	$262,500		$0		$0	$262,500
Wall Mount Split AC Systems	Units	33		$0		$0	$2,000	$70,000	$70,000
New Hand Rails	LF	2000		$0	$50	$100,000		$0	$100,000
Swimming Pool Resurfacing	LS	1		$0		$0	$10,000	$10,000	$10,000
General Painting	LS	1		$0		$0	$75,000	$75,000	$75,000
Lead Paint Abatement	Units	33		$0		$0	$20,000	$700,000	$700,000
Flooring	Required But Not Estimated			$0		$0		$0	$0
Laundry Appliances	Required But Not Estimated			$0		$0		$0	$0
Bathrooms	Required But Not Estimated			$0		$0		$0	$0
Refrigerators	Required But Not Estimated			$0		$0		$0	$0
Cabinets	Required But Not Estimated			$0		$0		$0	$0
Ventilation	Required But Not Estimated			$0		$0		$0	$0
Other				$0		$0		$0	$0
Total				**$494,000**		**$281,000**	**$108,506**	**$949,500**	**$1,724,500**
								Subtotal	$1,724,500.00
								Unexpected Costs - Add 15%	$258,675.00
								Total	$1,983,175.00

Summary

Material Cost		$494,000
Labor Cost		$281,000
Labor Tax	23%	$64,630
Subcontractor Cost		$949,500
Unexpected Costs		$258,675
Total Direct Cost		$2,047,805
Contractor's Overhead	7%	$143,346
Contractor's Profit	5%	$136,720
Insurance		
Business compensation insurance	2%	$60,476
Payment & performance Bonds	1%	$101,000
Public Liability	1%	$5,620
Total Insurance		$347,096
Residents relocation:		
6 Months x 15 Units x $2,500 Cost per unit per month		$560,000

Total Costs	**$2,976,477**
Total Relocation Costs	**$560,000**
Total Costs	**$3,536,477**
Cost Per Unit	**$101,042**

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B. ESTIMATED COSTS OF COMPREHENSIVE RESTORATION*.

Category	Unit	Quantity	Material Unit Cost	Total Material Cost	Labor Unit Cost	Total Labor Cost	Subcontractor Unit Cost	Total Sub Contractor Cost	Total Estimated
Site Electrical works	Apts	35					$6,000	$210,000	$210,000
Mechanical works	Apts	35					$5,000	$175,000	$175,000
Site civil works	Apts	35					$5,000	$175,000	$175,000
Elevator	EA	1					$300,000	$300,000	$300,000
Baths (2 bath units)	Apts	10	$6,000	$60,000			$2,000	$20,000	$80,000
Baths (3 bath units)	Apts	25	$6,000	$150,000			$2,000	$50,000	$200,000
Kitchens	Apts	35	$12,000	$420,000			$3,000	$105,000	$525,000
New doors	Apts	35					$1,000	$35,000	$35,000
Painting & Trim	Apts	35					$3,000	$105,000	$105,000
Flooring	Apts	35					$5,000	$175,000	$175,000
Sub-total costs									$1,980,000
Contractors overhead and profit									$134,600
insurance& bonds									$138,600
Sub-Total									$2,453,200
PLUS ESTIMATED COSTS OF OBSOLETE FUNCTIONALITY ITEMS.									$3,536,477
Total costs									$6,189,677

* Restorations of buildings requires components manufactured by suppliers that may no loger be in existance or in the regular market, thus creating a cost uncertainty but undoubtly a substantial expensive products.

A final estimate of costs cannot be submitted without final restoration plan

Letters in Order:

- Becky McIver
- Bill Zucker
- Bill Zucker (2)
- Gervaise Racinz
    - Transcript of handwritten letter
- Jeffery Koster
- Kathleen Clark Weinstein
- Kathleen Clark Weinstein (2)
- Heidi Pfister
- Lillian Hart
    - Transcript of handwritten letter
- Marjory Rossin
- Longin Zadeika
- June Lantz
- Nydia Gonzalez-Sarrain
- Robert Kolbert
- David Gross & Marjory Rossin
- Nancy R Peters

Becky McIver
Bay Harbor Continental, Inc.
1135 103rd Street, Apartment F4
Bay Harbor Islands, Florida 33154
Email: Becky.McIver@gmail.com
Cellular: 305.772.4342

March 30, 2015

Dear Historic Preservation Board:

Please consider my request to withdraw your interest in designating Bay Harbor Continental, Inc. as an historic building. One year ago we made a decision to sell our building because most of us could not afford to maintain the property due to much needed repairs. I have been counting on the money from this sale to find more affordable housing. Designation of this building as historic will cause me great financial hardship as it is already interfering with the sale of Bay Harbor Continental, Inc. and we are incurring additional, unexpected legal fees.

Please do not proceed with historic designation of our building. Thank you for your time and consideration.

Sincerely,

Becky McIver

From: bzuck2007@yahoo.com
To: jk9785@aol.com, margie@gf55.com
Sent: 3/18/2015 7:33:30 A.M. Eastern Daylight Time
Subj: Re: New Meeting Notice

To The members of the Historic Preservation Board
My Name is Bill Zucker a unit owner at the Bay Harbor Continental and I ask you to seriously listen to what Im about to say
If you make this building historical you are literally putting me out on the street "Homeless"
I bought my unit over 10 years ago when I had a decent job and some money in the bank before the economy turned on us for the worse
About 2 years ago after losing my job I could no longer keep up with my mortgage and The growing maintenence charges on our building because it is seriously falling apart due to plumbing,electrical ,elevator and seawall issues
I decided I had nochoice but to sell my unit
At that time we had an offer on our building to sell and i signed the purchase and sale agreement..we were informed we would be closing June 6th of 2014
I had no money to pay bills and Knowing we were closing soon I took a second Balloon mortgage on my unit to catch up on my Bills expecting to pay it off on upcoming closing due to delays in the closing I used all the money to live and have been counting the days just waiting for the Closing This APRIL 15th
I had to rent out my unit just to cover the 1st loan and to survive... and I had to rent another unit elsewhere.....I have since Lost my Car....I am 7 months behind on my rent and they have started the eviction process against me
I have been Struggling day to day to get to our closingApril 15th
If you make this building historical you are literally putting me out on the street Homeless
Every word I tell you is true and I beg you to Please consider what youre doing to our lives the building is Falling apart and most of us unit owners are struggling just to pay off the old 200,000.00 assessment loan we took to fix the seawall and Balconies
keep in mind there are only 35 owners in this old building
Im sure there are buildings out there that would fit what youre looking for without destroying Lives
I plead with you to put yourself in our shoes before making the wrong decision
Thank you
Bill Zucker

unit B4

--------- Forwarded message ---------
From: Bill Zucker <bzuck2007@yahoo.com>
To: "jk9785@aol.com" <jk9785@aol.com>, "carlitos305@gmail.com" <carlitos305@gmail.com>, "management@scmcorp.net" <management@scmcorp.net>
Cc: "becky.mciver@gmail.com" <becky.mciver@gmail.com>, "creed.5@hotmail.com" <creed.5@hotmail.com>, "daniel.schweiger@bluewin.ch" <daniel.schweiger@bluewin.ch>, "dedegozlan@yahoo.ca" <dedegozlan@yahoo.ca>, "b.schweiger@bluewin.ch" <b.schweiger@bluewin.ch>, "Frankhgriffith@aol.com" <Frankhgriffith@aol.com>, "gswartz@taplin.com" <gswartz@taplin.com>, "gladlee@optonline.net" <gladlee@optonline.net>, "jagscharfer@aol.com" <jagscharfer@aol.com>, "freesspirit32@gmail.com" <freesspirit32@gmail.com>, "angelsforme5@gmail.com" <angelsforme5@gmail.com>, "hkwracing@atlanticbb.net" <hkwracing@atlanticbb.net>, "leonork2003@yahoo.com" <leonork2003@yahoo.com>, "lisa@lisaemann.com" <lisa@lisaemann.com>, "skiplez@aol.com" <skiplez@aol.com>, "mzm445@aol.com" <mzm445@aol.com>, "martin@taplin.com" <martin@taplin.com>, "m5748@aol.com" <m5748@aol.com>, "mirtaselva@att.net" <mirtaselva@att.net>, "monique_beaudet@yahoo.com" <monique_beaudet@yahoo.com>, "nysid94@yahoo.com" <nysid94@yahoo.com>, "cngroup@comcast.net" <cngroup@comcast.net>, "donegalpat@aol.com" <donegalpat@aol.com>, "peter70x7@gmail.com" <peter70x7@gmail.com>, "louisewoolley@sympatico.ca" <louisewoolley@sympatico.ca>, "sueolsenusa@gmail.com" <sueolsenusa@gmail.com>, "richard@scmcorp.net" <richard@scmcorp.net>, "jrkolbert@gmail.com" <jrkolbert@gmail.com>, "margie@gff55.com" <margie@gff55.com>, "nnehmad1@nyc.rr.com" <nnehmad1@nyc.rr.com>, "nancyvp34@gmail.com" <nancyvp34@gmail.com>

Date: Sat, 14 Mar 2015 20:32:51 +0000 (UTC)

Subject: Re: B.H.C. Meeting Notice note from Jeff

To the Association and all unit owners

I am putting on public record that I refuse to spend one penny on lawyers defending the fact that BHC has breached its contract for the sale to P3 when they bring Legal action against us for Breaking a perfectly legal and Signed Purchase and Sale Agreement and we end up in court
All monies to Lawyers defending against P3,RE Agents and individuals suing the association should come DIRECTLY out of the pockets of Carlos Delatorre,Lisa Mann and whoever else went behind our backs to sabotage our binding contract
Carlos lied to me directly while in position as the president of the association who has a LEGAL and Moral responsibility to be forthcoming,Honest and fullfiling the goals of the majority of unit owners
Thank God my Brother and my 2 best friends are powerful Lawyers that have been monitoring these deceptve practices over the last year and will be representing me if we dont close on April 15th
Im not sure about any other unit owners but if this sale doesnt close on April 15th I will be financially ruined because of these individuals and i will be holding them responsible

Knowing that we had a firm purchase and sale agreement in Hand I got a second balloon mortgage on my unit because I knew i would be paying it off last June 6th (the 1st closing date)
Because of the illegal and Deceptive practices of these individuals stalling the closing I am now over 6 months behind on my loan,my rent,etc at my new residence and I am about to lose my unit and will be "homeless"
Before it comes to this point I urge all the unit owners to unite and do whatever it takes to make sure we have the closing on April 15th

This Old decrepid Building is literally falling apart and will be needing so much work on electrical,Plumbing,elevators,seawall.etc that our maintenence payments will be through the roof
The time to act is NOW
Bill Zucker
Unit B4

3-30-2015

My name is Servaise Facine

A member of Bay Harbour Continental Inc.
and reside in unit C5

I am a single woman of 73 year old.

I bought my membership, 23 year ago to enjoy this unit, and also as an investment for my retirement.

After 2 years of being in a process to sell, we are now being told that the Historic Board will put a moratorium and stop this sale. I am surprised that every body is talking about this cheap painted glass & black concrete screen and nobody is talking about our plight and the fact that building is in poor condition, has no modern amenities.

we have no financial reserves.
Can barely keep up with on going
maintenance and on the contrary
asked to preserve this building.

Who will compensate for our lost
pole, my life savings, and all the
stress and problems that we are
being put through.

The members who petitioned to for
are using you and dont care about
historic preservation.

The papers has shown genuine
concern to help us get most money
after taxes from our sales gave us
the time and extended closing for our sale

It is our property and we should be free to sell and not ask anybody for permission but I beg you to understand our situation.
May God bless You!

Gervaise Racine

GERVAISE RACINE
C5
Bay Harbor Continental
Tel: 305-864-0685

To Historic Preservation

Transcript of Handwritten Letter

March 30, 2015

To: Historic Preservation Board

From
Gervaise Racine
Unit Resident of C 5
Bay Harbor Continental Inc,
Bay Harbor Islands, FL 33134

My name is Gervaise Racine. I am a member of Bay Harbor Continental and reside in unit C5. I am a single woman of 73 years. I bought my membership 23 years ago to enjoy this unit and also as an investment for my retirement. After 2 years of being in a process to sell, we are now being told that the Historic Board will put a moratorium and stop this sale. I am surprised that everybody is talking about this cheap painted glass block and concrete screen and nobody is talking about our plight and the fact that this building is in poor condition, has no modern amenities , no financial reserves, we can barely keep up with ongoing maintenance and on the contrary being asked to preserve this building. Who will compensate for our lost sale? My life savings and all the stress and problems that we are being put through.

The members who petitioned you are using you and don't care about historic preservation. The buyer has shown genuine concern to help us get most money after taxes from our sale, gave us more time and extended closing for our sale.

It is our property and we should be free to sell and not ask anybody for permission but I beg you to understand our situation.

May God bless you!

Gervaise Racine

C-5

Jeffrey Koster

1135103rd street

Bay Harbor Islands

Fl.33154 Apt F-1

3/30/2015

Miami Dade County Historic preservation board

Office of Historic Preservation

Stephen P. Clark Center

111NW 1sst St. -12th Floor

Re: Bay Harbor Continental- Hardship

Dear Chairman and Board Members,

This is a letter that I never thought I would have to write, and I am writing it with embarrassment, to individuals that I don't know.

I am a 70 year male living at the above address since 1986, 29 years. The first night I slept in this building was Christmas of 1958, the building was newly built, I was 13 and stayed with my Grandparents.

I have a long history with this building and I love living here.

In 1982 I was diagnosed with a brain tumor a 3" diameters portion of my scull was removed and I underwent 17 hours of surgery to remove the growth ,two days later the doctors realized that they did not seal the operation properly and they had to graft skin, this took 7 additional hours.

My grandfather taught me at a young age when you start to earn money, to accumulate wealth he said "If your need to buy a pair of shoes and you see a pair for $60.00 and a pair for $20.00 buy the less expensive pair Spend your money wisely and buy some real estate, a home that will grow in value. " I listened to him. I had a small business with a partner, and I am also an artist and was successful with the Sale of metal sculptures. I produced and sold in N.Y.C. ,and started to save money along with a small stock portfolio started for me by my Grandfather .He advised me to never sell the stocks and just keep reinvesting the dividends to buy more stock. I followed his instructions and the portfolio grew.

I am telling you this to illustrate how circumstances change. When I was young I thought if I did certain things life would work out, It doesn't work out, It just is.

In my prime I was hit with my surgery. Was in the hospital for a month and then nursed back to being able to walk without a cane. I was never able to go back full time to the foundry. Eventually my partner forced me to sell my share of the business for $85,000.00

I could no longer afford to live in New York City. I was told that living in Florida was cheap so I started looking for a place to live, I remembered my grandparents building .and found a unit on the ground floor for $32,500.00. The maintenance was less than what I was paying for parking my car. In the city. With my savings and the money from the buyout, and a small inheritance and living moderately I was able to get by. Circumstances change .Came 2007 with the crash of the stock Market, out of fear of losing

everything I sold my portfolio. Resulting in a gutting of my net worth. Finding myself in a situation similar to 1986 When I was so ill and lost my business. I started selling off my antique collection and other things to help pay for living. I have no children and live alone, I worry about how I will care for myself as I get older. That is the reason I need this sale to go through. As in New York I can no longer afford to live In this building, Besides from the maintenance at its current level and paying off the last lone we took out, money is tight. We only have 35 units. To split the cost of repairs and we will have an enormous lawyer's bill we will have to pay. I found a place to live at Point East in Aventura with a water view similar to what we have now the unit was $ 85,000.00 the maintenance is $250.00 a month and there are 1200 units to help pay the cost of repairs.

With my Social Security of $675.00 monthly the savings I have left and the money I would receive from the sale of this building I could get by. We are not getting rich from this sale. For my 10 shares I will get $250,000 or with tax mitigation $320,000.00 gross amount. The brokers have to be paid the lone paid off and the attorney's fees. I estimate about $38,000.00 .I was counting on the money from the sale to fund the balance of my life. The future scares me .My Mother is in an assisted living facility. Her upkeep is expensive, I try not to think about what it would be like being 75 or 80 and no money.

Of the three that signed the petition for historic designation Lisa Mann and Carla Reed do not live in this building. Clara lives In U.N Plaza N.Y.C. Although I was told she bought a house. Lisa has many corporations Drives a Ferrari and had her unit up for sale before the contract to sell the building. Carlos owns another apt. and has a good job with the county. Carlos Delatorre, Solomon Nehmad , and Clara Reed all signed the contract to sell . They all went behind our backs. I guess when you have money you lose sight of the fact that others are in need. Over %80 want to sell. The petitioners can afford the upcoming charges, I can't..

As for a private sale no one will pay for a unit 60 years old apt in bad repair and high assessments. We have no reserves .Please allow the sale to go through. And allow us to realize a return on our investments so we can continue to live, and not become a burden to our families and society. Please withdraw your demands. Allow us to proceed with the closing and sale.

Thank you for taking the time reviewing this letter

Sincerely

Jeffrey Koster

March 31, 2015

Miami Dade County Historic Preservation Board

Re: Bay Harbor Continental, Hardship

Chairman and Staff Members,

With the expectation of a closing on April 15th, 2015, I made plans to move my brother into a Memory Center for Alzheimers. He is only 70 years old and was diagnosed 9 years ago. Since our Mother died at 95 in May of 2014 he has declined rapidly. My Mother left her share of the apartment to me, with the understanding that I would take care of my brother. He has been living with her these past nine years.

Since May of 2015, I have spent over $17,000 in nurses for his care. I have recently hired an Elder Attorney to help me apply for VA Benefits and other Benefits to help pay for the exorbitant cost for his care. His fee was over $10,000. I have also made plans for his living arrangements at the Pacifica Memory Center. I need to give them a deposit to hold his room in the amount of $7000 this week. I have searched for over 8 months to find a decent facility for him and I have to go forward with this decision. The cost of this facility is $3750 per month and I need to private pay for 6 months to a year before benefits come into play. This could be up to $45.000 out of pocket. All of these expenses are documented and available for inspection.

My Mother and I, are part of the 86% who voted yes to sell. She was ill and needed aides to help her and that again was an enormous amount of money. We needed the proceeds of the sale to take care of mounting expenses for her and for my brother. Unfortunately she passed away but the expenses for my brother are a reality. This is a tremendous financial burden on me and me alone. I don't have this extra money needed for his care.

If the HPB deems this building Historic, I will have to sell but it will not be for what I could receive from the sale to a Developer. A private sale would give me half of what I expected.

Furthermore, I am genuinely concerned about future assessments and possible lawsuits for the interference of this contract. Who is going to buy my apartment with all of this taking place? Would you buy in a building with all of these issues? I know I certainly would not. I need this money now as I originally planned on.

My hardship is only one of many in this building. Not all are capable of speaking for themselves, but their needs are a reality not a fabrication. If your decision is to designate this building at this late hour just before our closing, you will devastate the lives of many elderly shareholders, all of whom were counting on this sale for their care in the last years of their lives.

Respectfully,

Kathleen Clark Weinstein

Unit A-4

March 15, 2015

Kathleen Weinstein
1135 103rd Street, Apt A4
Bay Harbor Islands, FL 33154
hkwracing@atlanticbb.net

Dear Historic Preservation Board:

We, the majority of residents of Bay Harbor Continental (BHC), located at 1135 103rd St., Bay Harbor Islands, made a decision in April of 2014 to sell an ageing building because of the prohibitive expenditures needed to correct a building in need of major repairs. The assessments imposed on the members long into retirement or on S.S. income would result in tremendous financial hardship, if not complete devastation for those of whom could not satisfy those assessments. This was the main reason why 86% of the owners said yes to sell.

As of right now, the building is in need of extensive repairs that are just not going to be affordable for many of the owners. Some of these repairs include but are not limited to the sea wall, the roof, the pool, plumbing throughout the building, and electrical rewiring. As it is, we are still in the process of paying off the expenses from our 50 year recertification and many cannot afford added expenses for these upcoming repairs.

Our building is currently under contract with a pending closing date of April 15th, 2015. To date, the owners have spent tens of thousands of dollars in legal fees with regards to this sale, not to mention the one million dollars or more that the buyers have incurred to date. If the Historic Preservation elects to violate our rights as property owners and interferes with this pending contract, many unit owners will be severely impacted in a negative way.

Because of the malicious intent of 3 unit owners in an attempt to stop the sale from going through, the entire building is being put in financial and legal jeopardy. And for the record, two of these 3 people originally voted yes to the sale. At the time of the petition to the Historic Preservation Board, one of these individuals was the President of BHC and in direct negotiations with the buyers and the attorneys to bring this sale to fruition. But, during that time, he was actually and secretly working against the unit owners to intentionally halt the sale of BHC. These requests for designation have now come

only as a method to try to sabotage the legal and signed purchase agreement that we as a whole, have entered into.

Not only for our Building, but any Building, where the majority emphatically says "NO" to being designated historic, their opinions and wishes should be respected and honored.

Is this Democracy in action?

Where are OUR Property Rights as citizens who strongly say "NO" to 13 members of a body of people called The Historic Preservation Board?

Due to the possible legal actions against BHC as a whole, I respectfully request that the Historic Preservation Board immediately withdraws its interest in designating BHC as an historic building.

Respectfully,

Kathleen Clark Weinstein

HEIDI PFISTER
37 Highwood Road
East Norwich, NY 11732

March 31, 2015

Miami-Dade Historical Preservation Board

To Whom It May Concern:

I am writing on behalf of my father, Leo Schattlack, who has a condominium located at 1135 103rd Street, Unit G4, Bay Harbor Island, FL. My father, who is 75 years old, has been bravely battling Parkinson's Disease for the past 5 years. He resides in New York and requires help and assistance from his family.

Over the past few years, it has become increasingly difficult for my father to visit the Bay Harbor Island area since his mobility has diminished. All his doctors are located in New York and he needs to be able to see them on a regular basis.

In addition, the condominium will require extensive renovations which, at this juncture, does not seem feasible as the medication he is taking for the Parkinson's is quite costly. Since he resides in New York, he will not be able to oversee any construction work that needs to be done.

I implore the Preservation Board to please consider this hardship and allow the sale of this building to go through.

If you require any additional information or have any questions, please do not hesitate to contact me.

Sincerely,

Heidi Pfister

Sworn to before me this 31st day of March 2015.

Notary Public

SHARON KEANE
Notary Public, State of New York
No. 01KE6072208
Qualified in New York County
Commission Expires April 1, 2018

Doc#: US1:9953982v1

Ms. Lillian Hart
1135 103Rd St., Apt. C2
Bay Harbor Is., FL 33154

The Beautiful

9/30/15

BHC - Board of Directors
Cmr. Robert Hackett - President

Dear Robert,

I was just notified by one of my neighbors that you would need for the attorneys this letter from permanent residences.

I have been a permanent resident of Bal Harbor Continental for over the past 16 years. It would gravely hurt me financially if the Historic Assoc takes over my building.

As a Share Holder my history is 9 operations 3 cancers living & overcame I have been working over 50 years to subsidies my income so that I was able to raise a son & take care of my Mother I'm not asking for someone to pay my bills.

All I'm asking is to let us

II

America the Beautiful

sell the OLD building to investors who bided last year 2014 and gave us money in a escrow account.

Please reconsider the lives and ~~retirement~~ owners who will be effected by this

Respectfully,

Lillian Hart

C-2

Bay Harbor Continental

P. S. also please note after the bid for 16.5 million last year I took a deep breath + said that the sale money + my $1,260.00 MO from Social Security will be my retirement.

TRANSCRIPT OF HANDWRITTEN LETTER

March 30, 2015

Ms. Lilian Hart
1135 103rd Street, Apt C2
Bay Harbor Islands, FL 33154

BHC Board of Directors

Mr. Robert Kolbert – President

Dear Robert,

I was just notified by one of my neighbors that you would need for the attorneys this letter from permanent residents.

I have been a permanent resident of Bay Harbor Continental for the over the past 16 years. It would gravely hurt me financially if the Historic association takes over my building.

As a shareholder my history is 9 operations, 2 cancers – lung and ovarian. I have been working 50 years to make my income so that I was able to raise a son and take care of my mother. I am not asking for someone to pay my bills.

All I am asking is to let us sell this OLD building to investors who bided last year in 2014 and gave us money in an escrow account. Please reconsider the lives and retirement of owners who will be effected by this.

Respectfully,

Lillian Hart

C-2

Bay Harbor Continental

PS. Also please note after the bid for $16.5million last year, I took a deep breath and said the sale money and my $1,200 per month from Social Security will be my retirement.

February 26, 2015

Marjory L. Rossin
1135 103 Street #5B
Bay Harbor Island, FL 33154
[redacted]@1135.com

and

10 Martin Road
Rye, NY 10580

Dear Historic Preservation Board:

While I am a devoted modernist who currently lives in two historically modern homes, I cannot support the move to designate 1135 103rd Street a Landmark.

Currently the building is in sad repair and does not fit into a designation as something that can be adaptively reused. The rooms are very small. The bathrooms do not meet HC code. There isn't HC access in the building. Because of the structural system of the building where the load bearing walls are perpendicular to the façade it is impractical almost impossible to expand the units within the current footprint. Any attempt to renovate will ultimately ruin the very nature that the designation is trying to protect.

The building is currently under contract for sale and a large deposit of over a million dollars is in escrow. A demolition permit has been applied for. To designate the property at this point would amount to a financial taking and result in a serious financial loss for all the co-op owners. This would result in law suits and disruption.

What you might not know is that the move to designate the building has been maliciously promoted by the co-op board president who has had a change of heart regarding the sale. His motives have nothing to do with preservation. He will face a lawsuit and the building will be tied up in litigation for years. The current contract vendees are committed to completing the sale process. The co-op members followed the rules and procedures of the building's by-laws regarding the sale. An offer was accepted, and as a Co-op we are ready to move forward.

The current co-op owners do not have the money to maintain the building and that is one of the reasons it is being sold. The building is deteriorating quickly.

I am troubled by some of the views that I have heard expressed at the public hearings. It is easy for one to vocalize a love of modernism but it's a different commitment to maintain a structure. As a member of DOCOMO and the wife of a prominent NY Architect, I have an expert understanding of the resources it would take to bring my building up to today's living standards. It's unrealistic.

[redacted]sband and I live in a significant and award winning Historic Mid Century Modern of 1954 in Rye, New York designed by Ulrich Franzen. We carefully restored [redacted]d adapted it while adding an award winning addition. That is how the structure was saved from the Mc Mansion desire of another buyer. Because it was adapted to a modern use.

We do not have the same situation here whereby a beautiful yet obsolete building can be adapted. The new building will be an expression of its time. The time for this building has passed.

The financial burden the designation would impose by designation of your board would be devastating. We have already purchased another unit at 9901 East Bay Harbor Drive/Harbor Park-currently under construction. BECAUSE BAY HARBOR CONTINENTAL HAD BEEN ON THE MARKET FOR A LONG TIME ALREADY. WE IN CONTRACT. I PURCHASED MY OTHER UNIT AS 1135 103 Street PARCEL WAS FOR SALE.
DOES THE PRESERVATION BOARD PLAN TO COMPENSATE US ALL?

Thank you,

Marjory L. Rossin

Note,
I will be CC this letter on every level up to Federal!

From: redsock@sbcglobal.net
To: jk9785@aol.com
Sent: 3/30/2015 4:58:14 P.M. Eastern Daylight Time
Subj: Letter from Lon Zadeika

March 30, 2015

To Whom it May Concern,

I am writing you on behalf of my mother, Sofia Zadeika, owner of Apartment E-1 at 1135 103rd St, Bay Harbor Islands. She was in my constant care for two years until my own medical problems (I have severe heart problems that have resulted in my requiring multiple heart surgeries) made it impossible for me to provide her with all the help she needs. She is unable to live independently, so I was forced to move her into an assisted living facility. The turmoil revolving around the sale of this building has caused both of us undue stress. I am currently unable to work because of my health. I now find myself with not only my own bills and those for my mother's care, but also for the taxes, utilities, and association fees for this property that has been sitting vacant. Just when we thought this sale was finally going through, after years and years of hearing about it being for sale, a select few have decided to act on their own accord and reach out for historical protection. These few do not speak for me or my mother. This property is a great hardship for us and we align ourselves with the potential buyers. We signed the documents approving the sale and we stay by that contract. Please consider our situation in your decision.

Thank you,

Longin Zadeika

Forwarded message ---------
From: **june lantz** <angelsforme5@gmail.com>
Date: Tue, Mar 31, 2015 at 5:49 PM
Subject: Preservation Board
To: jk9785@aol.com

I'm June Lantz, a disabled, unemployed single senior, who owns an apartment at
The Bay Harbor Continental for twenty years. The completion of the sale of said property is imperative for me as not to become HOMELESS.

Six years ago almost to this orneydate, I was involved in a catastrophic auto accident resulting in being rushed to Ryder Trauma intensive Burn
Unit and 4 surgeries. I became disabled and remained there 3 months.
After which I was wheel chair bound for another 6 months. The devastating
result left me not only disabled, but my savings and all monies depleted.
I have had to take out a short term high interest loan coming due May 15, 2015.

There is no way I will be able to afford all the work this building needs or the taxes, future assessments required to bring the building to par for National treasure and Historical
requirements. Not to mention the attorney fees. Especially the Moratorium, at present
has cost our closing for April 15, 2015. I had planned to have closed and regain stability
with my life. I'm sure you can realize the tremendous consequence your actions have caused me, if not please call, email or write me to spell it out more clearly.

truly,
June Lantz
1135 103rd street
Unit B-1
786-768-2172 angelsforme5@gmail.com

To whomit may concern Firstly I would like to advise you that I will be unable to attend the meeting this evening due to health issues.I have been advise that the building has been designated as a Historical Property.I have also been advised that there will be a special assessment that I cannot afford. Back on March 2014 all 33 owners signed a document starting our desire to sell ours apartaments to Mr Boutani. Based on the decision I made to sell my property,I have since then made a commitment to buy another property together with my sister.I can not continue to keep this property and must sell.Regards Nydia Gonzalez-Sarrain

March 7, 2015

VIA EMAIL and HAND DELIVERY

Miami-Dade County Historic Preservation Board
Office of Historic Preservation
Stephen P. Clark Center
111 NW 1st St. - 12th Floor
Miami, FL 33128

RE: Bay Harbor Continental, Inc.
1135 103rd Street, Bay Harbor Island, Fl. 33154 ("Subject Property")

Dear Chairman Novick and Board Members:

It has come to our attention that at the Historic Preservation Board meeting on February 18, 2015, a petition for historic designation was submitted for our property, and the Board directed staff to prepare a designation report for the Bay Harbor Continental to bring back something that we had already endured in 2010, had opposed it and thought it to be resolved in our favor. Bay Harbor Continental, Inc. does not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on the property and its residents. Furthermore, we do not support nor want staff to continue the preparation of any designation report or any further consideration by the Board.

Bay Harbor Continental, Inc. is a cooperative owner of a residential property in Bay Harbor Islands, Florida which consists of 35 residential cooperative units. We are familiar with the Historic Preservation Board as well as the history of the site and considerations that have been taken in the past. In 2010 initiation of designation of the Bay Harbor Continental (1135 103rd Street) and the Bay Harbor Club Co-op (1155 103rd Street) began. Subsequent hearings were then scheduled in front of the Historic Preservation Board. Bay Harbor Continental, Inc. at that time expressed its vigorous opposition to the proposed designation of the building. We also expressed concerns over the negative impact designation would have on the property. The designation was subsequently withdrawn, and we believed we were free from this threat of historic designation.

Subsequent discussions by the Bay Harbor Continental Inc.'s unit owners resulted in the decision to list the property for sale with a real estate broker (Coldwell Banker) in 2013. This decision was influenced greatly by the fact that the designation had been withdrawn and we felt free to sell our property to the highest bidder. Bay Harbor Continental, Inc. moved forward with the sale of the property and in 2013 received three offers and selected the highest offer from a group that also demonstrated to be capable of developing something unique and responsible on the site. Bay Harbor Continental, Inc. approved the sale which culminated in 30 of the 35 members (86%) voting in favor of selling the Property when the requirement according to our By-Laws is 75%.

We are the owners of this building. This building is not a hotel or a tourist attraction. For many, it is homestead property, and the sale of the property will allow many of the individuals to retire. Bay Harbor Islands is a quiet bedroom community and we don't want to become a tourist attraction. Our building is a simple multi-family apartment building that has outlived its usefulness. The units are cramped, small, and some in poor condition. Keep in mind that these buildings on our island our built at ground level not like the new structures that are built above the base flood level. Being waterfront creates additional major concerns. The coming of a tidal surge could cause irreparable damage and could create a huge problem for our ground floor units. The building given its age has issues dating back to its original construction. A majority of our members are still paying a loan that we took several years ago for major repairs. A future of increased maintenance and special assessments creates a financial burden on all of our members. Over and above we have no financial reserves. Increased maintenance and assessments will create a situation that will cause a forced sale of units at a greatly reduced price simply because the owners will not have the funds to pay for these expenses.

We were very upset to learn that County staff in the summer of last year, without any consideration or communication with our residents, volunteered our building to the National Trust for Historic Preservation and actually actively promoted media attention through press releases. And now, without any public workshops, or presentations within our own community, and without inviting public input or input from the Town of Bay Harbor Islands, the Historic Board has decided to swiftly move forward to designate our property against our will.

Any further consideration of the potential designation of this property will significantly impact our lives. Our sale of this property is so far along, that it seems incomprehensible that the Board is even contemplating this at what seems to be the 11th hour. The closing is set for April and the buyers have already informed us that they themselves have incurred close to a million dollars on their site plan and design development and legal and other associated costs.

Your further pursuit of historic designation for our Private Property will create an enormous financial hardship on the lives of unit owners and all parties involved. Kindly halt any further actions on this matter.

Sincerely,

Robert Kolbert
President of The Bay Harbor Continental

cc.

Mayor Carlos Gimenez
Board of Commissioners of Miami-Dade County;
Members of the Town Council Town of Bay Harbor Islands;

March 10 2015

Letter to the Editor

http://www.miamiherald.com/opinion/letters-to-the-editor/submit-letter/

David E. Gross AIA and Marjory Rossin
1135 103 Street #5B
Bay Harbor Island, FL 33154
David@GF55.com
917 405 6653

While I am a devoted modernist who lives in two significant modern homes, I cannot support the designation of BHC at 1135 103rd Street.

The building itself is in sad repair and cannot be adaptively reused. The rooms are very small. The bathrooms do not meet HC code nor is there HC access. Because of the structural system of the building where the load bearing walls are perpendicular to the façade it is impractical almost impossible to expand the units within the current footprint.

Buildings respond to the time and place in which they were built. This building is programmatically and functionally obsolete.

The building is currently under contract for sale. A demolition permit has been applied for. To designate the property at this point would amount to a financial taking and result in a serious financial loss for all the co-op owners. This would result in law suits and delay. The building will descend into further decrepitude. The current co-op owners do not have the money to maintain the building.

The Historic Board should with the Developer to identify those special aspects of the building truly unique. Those elements could be reused within a contemporary building.

BHC

2 messages

Nancy R Peters <nancyvp34@gmail.com> Thu, Mar 26, 2015 at 2:25 PM
To: gbutani@p3investments.com

Mr. Butani;

I don't know if you remember me. My name is Nancy Peters G2, but I would like to tell you that we just got a Certified mail from the Historic Society and I have some questions, that nobody in the board does anything about.
I would like to find out many other buildings or houses are in their list besides our building. Perhaps we can unite and fight them,
HOW MANY people in the Miami-Dade Historic Preservation and the people
of the Bay Harbor Islands Council (especially Mr. Watson, the Town Manager) who I think is for the Historic Preservation, LIVE in an Historic building?
I am sure they live in a modern building or house where they have nice new washing machines, and don't have to go back and for to do the laundry, nice clean elevators. where they don't have to buy like me from my own money Air freshener so the elevator do not smell like old people.
When I bought this apartment, it was just so I and my family could came sometimes in the winter, since I had a nice house in Potomac, MD at the time.
I did buy it for the view because to me this bldg. just looked like a cheap motel to me. I had traveled all through Europe, and there are buildings that are preserved because of their architecture. Not this old building.
I wonder if they are going after some buildings in Bal Harbour. I am sure some were built at the same time and architecture as ours. Are they going on the houses in the East Island also?
In the certified mail, they ask that any claim of economic hardship must be submitted by affidavit 15 days prior to the public hearing.
I am afraid I can't claim hardship if they check. I just want to find a different place cleaner, more modern with a different entrance and move from here. I believe in
progress, and I am sure P3 will do a beautiful building.
I can understand this people. They complain about the building going on. That will give them more taxes. I do agree in keeping the bldgs. as small as they want, so Bay Harbor Islands will not became another Sunny Islands.
I do plan to buy or rent in the Island.
Thanks for reading my message
Regards
Nancy

Akerman

Neisen O. Kasdin

Akerman LLP
One Southeast Third Avenue
Suite 2500
Miami, FL 33131-1714
Tel: 305.374.5600
Fax: 305.374.5095

March 17, 2015

VIA E-MAIL AND HAND DELIVERY
Miami-Dade County Historic Preservation Board
Miami-Dade County
111 NW 1st Street
Miami, Florida 33128
Attn: Kathleen Kauffman, Historic Preservation Officer

Re: Bay Harbor Continental, 1135 103rd Street, Bay Harbor Islands, FL
Notice of Affected Party Status for P3 Investments I, LLC
Objection to Continuation of Designation Proceedings

Dear Ms. Kauffman:

Our firm represents P3 INVESTMENTS I, LLC. ("P3"), the contract purchaser of the Bay Harbor Continental, located at 1135 103rd Street (the "Property"), currently owned by Bay Harbor Continental, Inc. ("BHC"), a cooperative not for profit corporation. This letter serves to notify the members of the Miami-Dade County Historic Preservation Board ("Board") and Officers of the Historic Preservation Office ("Staff"), that P3, as the contract purchaser of the Property, is an affected party, under Chapter 16A of the Miami-Dade County Code of Ordinances, to any proceedings of the Board with regard to the creation of a moratorium or furtherance of historic designation.

It has come to our attention that without any notice to BHC, its residents, or other affected parties that a petition to initiate historic designation of the Bay Harbor Continental was presented at the February 18, 2015 meeting by three individuals – Carlos De La Torre, Lisa Mann and Clara Reed (the "Petition") – and that based on the Petition, the Miami-Dade County Historic Preservation Board ("Board") voted to direct staff to move forward with the filing of a designation report. *See* the Petition attached as **Exhibit A.**

BHC is the sole owner of the building and the Property. BHC as a cooperative (or co-op) is owned by 35 shareholders, and managed by its Board of Directors. Section 16A-10 of the County Code states in relevant part:

(IV) *Procedure.*

(a) *Petition of the owner.* The owner(s) of any property in unincorporated Miami-Dade County may petition this Board for designation of their property as an individual site, district or archeological zone provided that they appear before the Board with sufficient information to warrant the investigation of the property for future designation and the Board finds that the property may be worthy of designation. (Emphasis added)

Carlos De La Torre, Lisa Mann and Clara Reed are not owners of the Property and have no standing to submit a Petition. Pursuant to Section 16A-10(IV)(a), only the owner of the Property, BHC or an individual with explicit authorization to act on its behalf, may submit the Petition. *See* the letter from Bay Harbor Continental, Inc. dated March 7, 2015, expressing opposition to historic designation, attached as **Exhibit B.** Carlos De La Torre, Lisa Mann and Clara Reed, are not owners of the Property, rather they are 3 of the 35 shareholders of BHC, the only legal Owner of the Property. Therefore, the Petition that was filed on February 18, 2015 was invalid.

Based on the filing of the invalid Petition, the Board voted to direct staff to bring a designation report for the March 18, 2015 meeting. We understand, pursuant to the most recent draft of the agenda, that Staff intends to "file" the designation report at the March 18, 2015 meeting (under Item NB.2). A copy of the agenda is attached as **Exhibit C.**

As you know, the filing of a designation report under Chapter 16A-10(IV)((h) creates an automatic moratorium affecting the Property, and thus our rights as the contract purchaser.

Furthermore, the continued pursuit of historic designation of this building would result in serious undue economic hardship to BHC and to P3 under Section Chapter 16A-12.[1] Based on the letter from BHC, the building has significant and pervasive maintenance and repairs required. There are insufficient reserves and the shareholders, many of whom are elderly and on a fixed income, cannot afford the assessments required to pay for essential repairs. For many shareholders, the sale represents a substantial portion of their net worth. Under the zoning regulations of the Town of Bay Harbor Islands, there is no adaptive reuse of the building. Hotels and commercial use are not permitted uses on the Property. P3 has invested significant money into the acquisition of the Property, including contract deposits, legal fees, architectural fees and other costs related to the acquisition and future redevelopment of the Property. The continued action and interference in the closing of the contract may result in multi-million dollars in damages to BHC and P3.

Due to our status as an affected party, we respectfully request fifteen (15) minutes to address the Board with regard to item NB.2 at the March 18th meeting.

[1] Nothing contained herein waives rights to demonstrate economic hardship or submit additional information to object to the historic designation of the Property under Chapter 16A.

Sincerely,

Neisen O. Kasdin

Exhibit A

EXHIBIT B

February 10, 2014

Miami Dade County
Office of Historic Preservation
Stephen P. Clark Center
111 NW 1st St. - 12th Floor
Miami, FL 33128

To Whom It May Concern:

We would like to petition the County's Historic Preservation Board of begin the process to designate our building the Bay Harbor Continental Inc. as historical. The building is located at 1135 103rd Street, Bay Harbor Islands, Fl 33154. The building is a wonderful example of MIMO architecture, and was designed by a prominent architect by the name of Charles McKirahan who has had other works designated by the National Register of Historic Places.

Thank You,

Carlos De La Torre

Lisa Mann

Clara Reed

Solomom Nehmad

Pascual Innamorato

Exhibit B

March 7, 2015

VIA EMAIL and HAND DELIVERY

Miami-Dade County Historic Preservation Board
Office of Historic Preservation
Stephen P. Clark Center
111 NW 1st St. - 12th Floor
Miami, FL 33128

RE: Bay Harbor Continental, Inc.
1135 103rd Street, Bay Harbor Island, Fl. 33154 ("Subject Property")

Dear Chairman Novick and Board Members:

It has come to our attention that at the Historic Preservation Board meeting on February 18, 2015, a petition for historic designation was submitted for our property, and the Board directed staff to prepare a designation report for the Bay Harbor Continental to bring back something that we had already endured in 2010, had opposed it and thought it to be resolved in our favor. Bay Harbor Continental, Inc. does not support nor want such designation. The building does not warrant preservation and the proposed historic designation will have a negative impact on the property and its residents. Furthermore, we do not support nor want staff to continue the preparation of any designation report or any further consideration by the Board.

Bay Harbor Continental, Inc. is a cooperative owner of a residential property in Bay Harbor Islands, Florida which consists of 35 residential cooperative units. We are familiar with the Historic Preservation Board as well as the history of the site and considerations that have been taken in the past. In 2010 initiation of designation of the Bay Harbor Continental (1135 103rd Street) and the Bay Harbor Club Co-op (1155 103rd Street) began. Subsequent hearings were then scheduled in front of the Historic Preservation Board. Bay Harbor Continental, Inc. at that time expressed its vigorous opposition to the proposed designation of the building. We also expressed concerns over the negative impact designation would have on the property. The designation was subsequently withdrawn, and we believed we were free from this threat of historic designation.

Subsequent discussions by the Bay Harbor Continental Inc.'s unit owners resulted in the decision to list the property for sale with a real estate broker (Coldwell Banker) in 2013. This decision was influenced greatly by the fact that the designation had been withdrawn and we felt free to sell our property to the highest bidder. Bay Harbor Continental, Inc. moved forward with the sale of the property and in 2013 received three offers and selected the highest offer from a group that also demonstrated to be capable of developing something unique and responsible on the site. Bay Harbor Continental, Inc. approved the sale which culminated in 30 of the 35 members (86%) voting in favor of selling the Property when the requirement according to our By-Laws is 75%.

We are the owners of this building. This building is not a hotel or a tourist attraction. For many, it is homestead property, and the sale of the property will allow many of the individuals to retire. Bay Harbor Islands is a quiet bedroom community and we don't want to become a tourist attraction. Our building is a simple multi-family apartment building that has outlived its usefulness. The units are cramped, small, and some in poor condition. Keep in mind that these buildings on our island our built at ground level not like the new structures that are built above the base flood level. Being waterfront creates additional major concerns. The coming of a tidal surge could cause irreparable damage and could create a huge problem for our ground floor units. The building given its age has issues dating back to its original construction. A majority of our members are still paying a loan that we took several years ago for major repairs. A future of increased maintenance and special assessments creates a financial burden on all of our members. Over and above we have no financial reserves. Increased maintenance and assessments will create a situation that will cause a forced sale of units at a greatly reduced price simply because the owners will not have the funds to pay for these expenses.

We were very upset to learn that County staff in the summer of last year, without any consideration or communication with our residents, volunteered our building to the National Trust for Historic Preservation and actually actively promoted media attention through press releases. And now, without any public workshops, or presentations within our own community, and without inviting public input or input from the Town of Bay Harbor Islands, the Historic Board has decided to swiftly move forward to designate our property against our will.

Any further consideration of the potential designation of this property will significantly impact our lives. Our sale of this property is so far along, that it seems incomprehensible that the Board is even contemplating this at what seems to be the 11th hour. The closing is set for April and the buyers have already informed us that they themselves have incurred close to a million dollars on their site plan and design development and legal and other associated costs.

Your further pursuit of historic designation for our Private Property will create an enormous financial hardship on the lives of unit owners and all parties involved. Kindly halt any further actions on this matter.

Sincerely,

Robert Kolbert
President of The Bay Harbor Continental

cc.

Mayor Carlos Gimenez
Board of Commissioners of Miami-Dade County;
Members of the Town Council Town of Bay Harbor Islands;

Exhibit C

HISTORIC PRESERVATION BOARD
AGENDA

Wednesday, March 18, 2015
@ 2:00 p.m.

Stephen P. Clark Center
111 NW 1st Street
22nd Floor Rear Conference Room
Miami, FL 33128

I. ROLL CALL

II. APPROVAL OF MINUTES
February 18, 2015

III. PUBLIC HEARING – public hearing items may not start before 2:15 p.m.

A. Swearing in of the Public – Lorena Ramos, Court Reporter

B. Requests for Deferral

C. Public Hearing Items

PH1. Ad Valorem Tax Exemption Application
5420 North Bay Road
Miami Beach, FL 33140

PH2. Special COA# 2015-01-S
Hampton House
4240 NW 27th Avenue
Miami, FL 33142

PH3. Historic District Designation
Roughly bounded by Collins & Harding Avenues
And 90th-91st Streets
Surfside, FL 33154

IV. PUBLIC COMMENT
The public may comment on any agenda item that is not a public hearing.

V. OLD BUSINESS ITEMS

VI. NEW BUSINESS

NB1. Requests for Deferral

NB2. Filing of Report - Bay Harbor Continental, 1135 103rd Street, Bay Harbor Islands, FL 33154

NB3. Filing of Report - Bay Harbor Club, 1155 103rd Street, Bay Harbor Islands, FL 33154

NB4. Discussion on Lincoln Memorial Cemetery

NB5. Chair's Report
NB6. Director's Report

VII. ADJOURNMENT

PROCEDURES FOR ALL PUBLIC HEARING ITEMS

Anyone who wishes to speak on a public hearing item, you must stand and be sworn in by the Chair of the Board at the beginning of the meeting. Prior to speaking for the item, please be sure to state your name and address for the record.

Public decorum is required of all persons present. Individuals acting in a disorderly or disruptive manner shall be required to leave. The order for agenda items, generally, shall be as follows:

A. Ad-valorem applications, Special Certificates of Appropriateness (COAs)

1. Staff provides a report regarding the application
2. Applicant may provide comments/clarifications (if needed)
3. Public comment (Board Chair allots, and may limit, time for each speaker)
4. The Public Hearing is closed by the Chair
5. The Board deliberates and votes

B. Designation Applications (Historic or Archaeological)

1. Staff provides a report regarding the designation request
2. Petitioner for designation may provide additional comments
3. Public comment (Board Chair allots, and may limit, time for each speaker)
4. Response to Public Comments may be made by Petitioner or Staff
5. The Public Hearing is closed by the Chair
6. The Board deliberates and votes

May 4, 2015

County Commissioners of Dade County,

I, Kathleen Clark Weinstein was the President of Bay Harbor Continental Inc. in 2010, located at 1135 103rd St. In Bay Harbor Islands, Florida.

Back in late 2010, the Historic Preservation Board was showing an interest in possibly designating Bay Harbor Continental as historic. The majority of the residents were, and still are against designation and we hired an attorney to defend us and our property rights. As a matter of fact, at that time, Lisa Mann, as well as the others whom recently petitioned the Historic Preservation Board, strongly objected to Historic Designation of our property. In early 2011 The Historic Preservation Board removed their interest in our property. In March of 2014, we, the shareholders of Bay Harbor Continental, entered into a contract for the sale of this building. We were all advised to seek counsel from our personal tax Attorneys prior to the majority vote of 86% voting YES to sell the property. The reason for the recent petition for designation by 3 shareholders was for their own agenda. They were unhappy with the distribution from the sale because of the tax consequences, even though 2 of the 3 petitioners voted yes for the sale. These votes are on file in our records.

On August 11, 2014, Carlos De La Torre, another one of the 3 recent petitioners to the Historic Preservation Board, went before the Bay Harbor Islands Town Council and stated that he disagreed with Historical Designation in Bay Harbor saying the property values would decrease and impact the town negatively.

Carlos De La Torre was the Vice President of Bay Harbor Continental in 2014, and he and the President did not do their due diligence for the shareholders in regards to our tax consequences. We entered into a sale of the building that was due to close on April 15, 2015, but because of the actions of the 3 petitioners, we are in violation of our contract and we have all been put in legal jeopardy. We have depleted our reserves in the building and many have made other commitments for their living arrangements, confident we were to close on the sale of this property.

No one should be able to ignore the vote of the majority of shareholders. In a Democracy, doesn't the majority rule?

Please, I implore you to overturn this decision.

Respectfully,

Kathleen Clark Weinstein

Kathleen Clark Weinstein

buildings. She knew that Mayor Yaffe attended a meeting and would like him to report what happened. She also invited Teri D'Amico to speak on this issue because she was a MiMo expert.

Mayor Yaffe stated that he, Town Manager Wasson and Town Planner Miller had a brief meeting with the Historic Preservation Committee and would report back to the Council at the next meeting.

Teri D'Amico, 9101 East Bay Harbor Drive, came forward to address the Council. She stated that she had read the Town planner's report with the survey that was done in 2006. She stated that survey was out dated. The buildings were 60 years of age and some qualified as a national district, which was an honor to be nominated. She felt that buildings being knocked down with no consideration. Ms. D'Amico wanted to be thoughtful and sensitive to the older structures. She stated that the TDR's were designed to create open public spaces. She wanted the Council to think about harmony for the island.

Vice Mayor Leonard asked who applied for the national designation. Ms. D'Amico stated that she applied.

Hector Garcia,1155 103 Street, Bruce Ehrenhaft, Architect from Miami, and Colotide Luce, 301 Ocean Drive, and Kathleen Kennedy, 9721 E. Bay Harbor Drive, all came forward in support of the Historical Designation for the Town. They felt it would be good for the Town, it was a unique style, some of the buildings were unique, even though some needed to come down, it would be a postcard look for the coastline and it would set a higher standard for the Town. They all urged to keep the designation.

Markus Frankel, 10261 E. Bay Harbor Drive, came forward to address the Council and handed out a photographic study of the Town. It was his professional opinion that they needed to examine the Town's diverse style. He stated that the Town had a contemporary and art deco style. He thought that the existing design should be examined also. He stated that the East Island was very diverse, but primarily contemporary. It was his recommendation to embrace the diversity and uniqueness of the Town.

Carlos de la Torre, 1135-103 Street, came forward to address the Council. He felt that if the buildings were designated historical the property value would decrease and impact the Town negatively.

Council Member Reid stated that the Historical Society would like to come and make their presentation once the study is finished. She had been told that MiMo had not been accepted in 2006. Since then, Miami Beach has worked on the recognition of MiMo. She also stated that it is focused on the East Island only. She informed the residents could contact the State Preservation Board if they wanted.

Vice Mayor Leonard stated that last year he had requested to create a Town historical preservation board, but it was not approved. He wanted the residents to have a stake in the issue. He knew that there were a

Designation Report

Bay Harbor Continental Apartments

1135 103rd STREET
Bay Harbor Island, Florida



Mid-Century Modern Architecture of Miami
Architect: Charles Foster McKirahan / Built: 1958

Prepared by: Carlos J. Dunn
Office of Historic and Archaeological Resources
Department of Planning & Zoning

Miami-Dade County
Historic Preservation Board
December 15th, 2010

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I. GENERAL INFORMATION.

NAME:	**Bay Harbor Continental, Inc. Co-Op Apartments**
LOCATION/ADDRESS:	**1135 103rd Street** **Bay Harbor Islands, Florida**
PROPERTY OWNERS:	**SEE ADDENDUM A**
ZONING:	Residential Cooperative
TAX FOLIO NUMBERS:	**SEE ADDEUNDUM B**
LEGAL DESCRIPTION:	**SEE ADDEUNDUM B**
STRUCTURES:	Five-story building facing 103rd Street. Miami Mid-Century Modern arrchitecture residential complex (36 units), multi-family building, grounds, pool and auxiliary pool structures all located on the north tip of the eastern island in the City of Bay Harbor Islands.
SIGNIFICANCE:	**History: HIGH PROBABILITY.** The Town of Bay Harbor Islands grew from the foresight of Shepard Broad, who came to America from Minsk, Russia in 1920 at the age of 14. In 1945, Broad purchased two undeveloped mangrove swamp islands in Biscayne Bay. The 103-acre West Island remains as a single-family unit residential development only. The 150 acres of the East Island contain multiple-family dwellings and also a small business district. Developed primarily during the 50's and 60's many of its buildings are an excellent example of the Mid-Century architecture built in Miami during this period. The Bay Harbor Continental, Inc. Co-Op Apartments is one of these buildings and therefore could fulfill: Criteria Sec. 16A-10(1)(a), *Are associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, south Florida, the State or the nation;* **Architecture: HIGH PROBABILITY.** During the late 40s and up to the early 60s construction of multi-family buildings on the East Island of the Town of Bay Harbor Islands followed the criteria of MiMo (Miami Mid-Century Modern) Architecture. The Bay Harbor Continental, Inc. Co-Op Apartment complex is an exceptionally well preserved example of one of these MiMo buildings. It was designed by Charles F. McKirahan a prominent architect in South Florida during the 50s and 60s. This site therefore could fulfill Criteria Sec. 16A-10(1)(c): *Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction;*

Archaeology: LOW PROBABILITY.

Context: HIGH PROBABILITY The building could be classified as fulfilling Criteria Sec. 16A-10(1)(a) *Has contributed to the pattern of architectural history in the community*

IMPACTS:

Designation will have the effect of requiring that significant exterior alterations to the existing building and any contributing structures, grounds, new construction, and demolition will require an application for Certificate of Appropriateness from the Office of Historic and Archaeological Resources of the Department of Planning and Zoning of Miami-Dade County.



Aerial Photograph (Google 2010)

II. PHYSICAL DESCRIPTION / SETTING

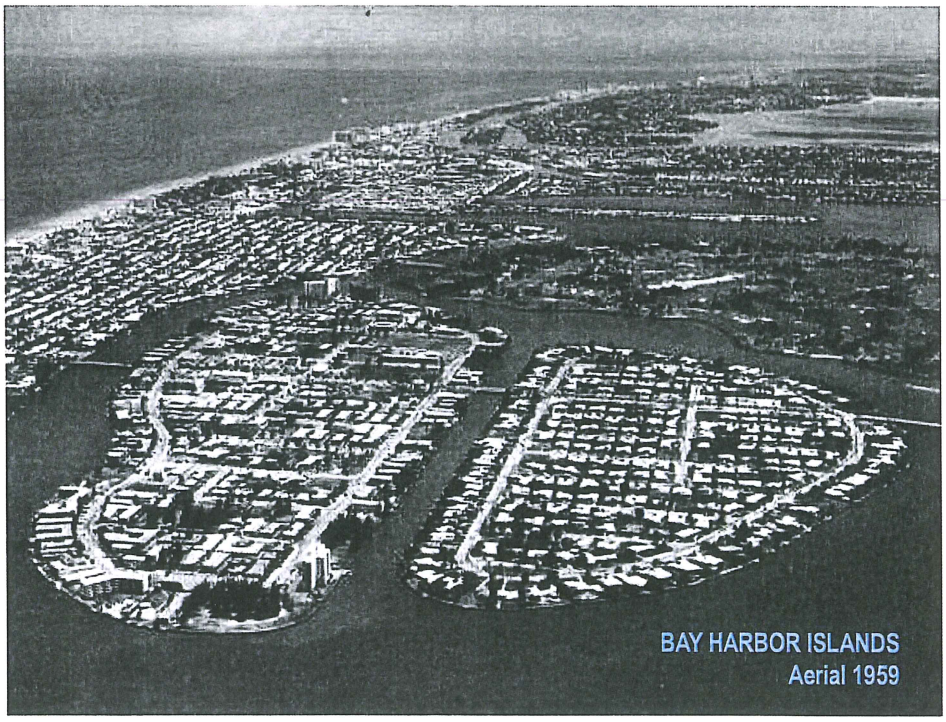
Developed on 253 acres of undeveloped mangrove swamp islands in Biscayne Bay, Bay Harbor Islands is located between the Indian Creek Waterway , Biscayne Bay and Indian Creek Lake. It is composed of the 103-acre West Island which remains as a single-family residential development, and the 150 acres of the East Island which contains multiple-family dwellings and also a small business district. The east island is composed of ninteen (19) blocks and a perimeter strip of multiple-family dwellings or apartments with a perimeter road (East Bay Harbor Drive and West Bay Harbor Drive). The island is divided into a north and south section by the Kane Concourse.

The island is located west of Bal Harbour and Surfside and can be accessed from 96th Street through Kane Concourse. It is located east of North Miami and from the mainland it can be accessed from NE 123rd Street going east on the Broad Causeway. There are currently two-hundred and thirty-two (232) buildings on the island. There are forty-six empty lots of which twenty-four (24) are dedicated to parking lots.

The Bay Harbor Continental Apartments building is located on the northern tip of the island. The 36 unit apartment complex is five-stories and is located on 103rd Street and forms an "L" configuration around an open central green space where the pool and pool facilities are located. Vertical access to the different floors is achieved through a series of staircases.

The building maintains most of its original design elements such as the decorative railings, lush ornamentation, tray balconies, louver windows, original entry doors, decorative concrete blocks of various sizes used to provide visual interest, and exposed cantilevered exterior walkways, among other elements. The fifty-two (52) year old structure has remained intact and has suffered little or no transformation to its exterior design.

III. HISTORICAL SIGNIFICANCE – Bay Harbor Islands



The Town of Bay Harbor Islands grew from the foresight of Shepard Broad, who came to America from Minsk, Russia in 1920. He practiced law in New York until 1940, when he brought his wife and family to live in South Florida. That same year he was admitted to the Florida Bar and opened a law office in Miami Beach where he founded the law firm of Broad & Cassel.

In 1945, Broad became interested in 253 acres of two undeveloped mangrove swamp islands located in Biscayne Bay. He envisioned apartment complexes, single-family homes and shops. He sketched the plans for Bay Harbor Islands, designing it in two sections: one for single-family homes and the other for multiple-family buildings.



Plat Map of Bay Harbor Islands


Aerial of Bay Harbor Islands - 1952

In 1947, the Town of Bay Harbor Islands was incorporated. In 1953 the Florida Legislature chartered the present municipality and later that same year it was approved by the voters of the Town. Shepard Broad was elected the first Mayor of the Town and served in that position for twenty-six consecutive years until his retirement in 1973. He died on November 6, 2001 at the age of ninety-five.

On June 15, 1947, the first building permit was applied for. Within four years, the Town's population had grown to 550 citizens living in 46 private residences. Also in 1947, the Legislature authorized the building of a causeway at 125th Street and Biscayne Boulevard. The $2.5 million road was completed in 1951 joining the islands with the mainland of northern Miami-Dade County. The bridge now carries the name of the Shepard Broad Causeway.

IV. ARCHITECTURAL AND CONTEXTUAL SIGNIFICANCE MIAMI MODERN (MIMO)

Miami's Mid-Century Modern Architecture (MiMo) buildings span the range of large hotels like the Fontainebleau and the Carillon, to apartment complexes, condominiums, office and commercial buildings, two story motels and homes. Mimo architecture includes works from such noted architects as Morris Lapidus (Fontainebleau and Eden Rock Hotels), Igor B. Polivitzky, Robert Law Weed, Robert Little and Enrique Gutierez, Harold Weiner, Gilbert Fein and Charles McKirahan among others.

Miami-Dade County experienced and embraced many national trends at a larger scale than the rest of the state and country. While building permits nation-wide rose eight-and-a-half times then prior to World War II, in Miami-Dade County building permits were eighteen times higher than the pre-War figures.

During the late forties and early sixties, most architects were embracing the Bauhaus ethic of "less is more". However, Miami architects were putting a unique personal twist on the aesthetic of modern architecture with curved surfaces, bright colors and concrete cantilevers. Miami's Mid-Century Modern Architecture incorporated acute angles, had continuity between indoors and outdoors, asymmetrical compositions, and many other features that created a distinctive style.

The building incorporates in its architectural design important characteristics of the Miami-Modern (MiMo) style:

Acute Angles
Asymmetrical facade
Lush ornamentation
Cantilevers (Projection that is unsupported at its projecting end)
Catwalks (Exposed cantilevered exterior corridors)
Decorative Concrete Blocks of various sizes used to provide visual interest
Decorative Railings
Exposed edges of concrete floors and walls projecting outward
Glass Mosaic Tile
Interior and Exterior Blending
Intersecting Planes
Jalousies
Ribbon Windows
Driveway drop-off area
Screen Block (Cast-concrete blocks)
Tray Balconies (Cantilevered balconies with concrete parapets)



Main Façade

THE ARCHITECT (1919 – 1945)

Charles Foster McKirahan was born in Tulsa Oklahoma on March 20, 1919. He studied at Oklahoma State University and obtained his B.S. in Architecture from the University of Illinois. In 1953 he became a member of the Broward County Chapter of the AIA (American Institute of Architects). He died in 1945 and is buried at the Fort Lauderdale Memorial park Cemetery.

Architectural Firms:

a.	1947 - 1948	Harrison and Gill
b.	1949 – 1950	Gambie, Pownall & Gilroy
c.	1951 – 1952	Wilmer & McKirahan (Ft. Lauderdale)
d.	1953	Charles F. McKirahan & Associates 2400 Oakland Park Blvd. Ft. Lauderdale

Principal Works:

a. Manhattan Tower Apartments (1953), Ft. Lauderdale (Existing)
b. Sunset Elementary School (1954) Ft. Lauderdale
c. Bay Club Apartment Co-Op (1954) Ft. Lauderdale
d. Time Square Shopping Center (1955) Ft. Lauderdale
e. Coral Ridge Country Club (1955) FT. Lauderdale (Existing)
f. Cotton Bay Club Beach House (1955) British West Indies
g. Ocean Manor Apartment/Hotel (1956) Ft. Lauderdale (Restored)

h. Bay Harbor Club Co-Op Apartments (1956) Bay Harbor Island, Florida (Existing)
i. Nassau Beach Hotel (1957) Bahamas
j. Breaker Tower Co-Op Apartments (1958) Ft. Lauderdale
k. Bay Harbor Continental Co-Op Apartments (1958) Bay Harbor Island, Florida (Existing)
l. Quito Hotel (1960) Quito, Ecuador
m. Bayview Office Building (1960) Ft. Lauderdale
n. Point View Co-Op Apartments (1961) Miami
o. The Americana Motor Inn (1963) (Demolished)
p. The Castaways – Miami Beach (Demolished)



The Manhattan Tower (Ft. Lauderdale) 1950s


The Manhattan Tower (Ft. Lauderdale) TODAY



The Americana Motor Inn (Ft. Lauderdale) – DEMOLISHED



Considered a rare hyperbolic parabolic concrete structure in South Florida, it was demolished in 2007

V. CRITERIA FOR DESIGNATION

If designated as a Historic Site, the **Bay Harbor Club Co-Op Apartments** located at 1155 103rd Street in the Town of Bay Harbor Islands would qualify for the following criteria, as set forth in Section 16A-10 the Miami-Dade Historic Preservation Ordinance:

(a) **Criteria Sec. 16A-10(1)(a),** Is associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, south Florida, the State or the nation

(b) **Criteria Sec. 16A-10(1)(b),** Is associated with the lives of persons significant in our past.

(c) **Criteria Sec. 16A-10(1)(c),** Embodies the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinctions;

VI. STANDARDS FOR CERTIFICATE OF APPROPRIATENESS

If designated, standards will follow the general guidelines as recommended for historic structures as detailed in *The Secretary of the Interior's Standards for the Treatment of Historic Properties* as developed in 1992 and codified as 36CFR Part 68 in the July 12, 1995, *Federal Register* (Vol. 60, No. 133). However, ordinary maintenance and minor interior alterations will not be subject to review.

VII. STAFF RECOMMENDATION

Staff **recommends** the designation of the **Bay Harbor Continental, Inc. Co-Op Apartments** built in 1958 and located at 1135 103rd Street in the Town of Bay Harbor Islands as an Historic Site based on the historic and architectural qualities of the building as it constitutes excellent example of the architecture built in Bay Harbor Island and in Miami between 1945 and the mid 1960s. It is, also, one of the few remaining examples of architect Charles Foster McKirahan's buildings in Miami.

VIII. Photographs.



The façade

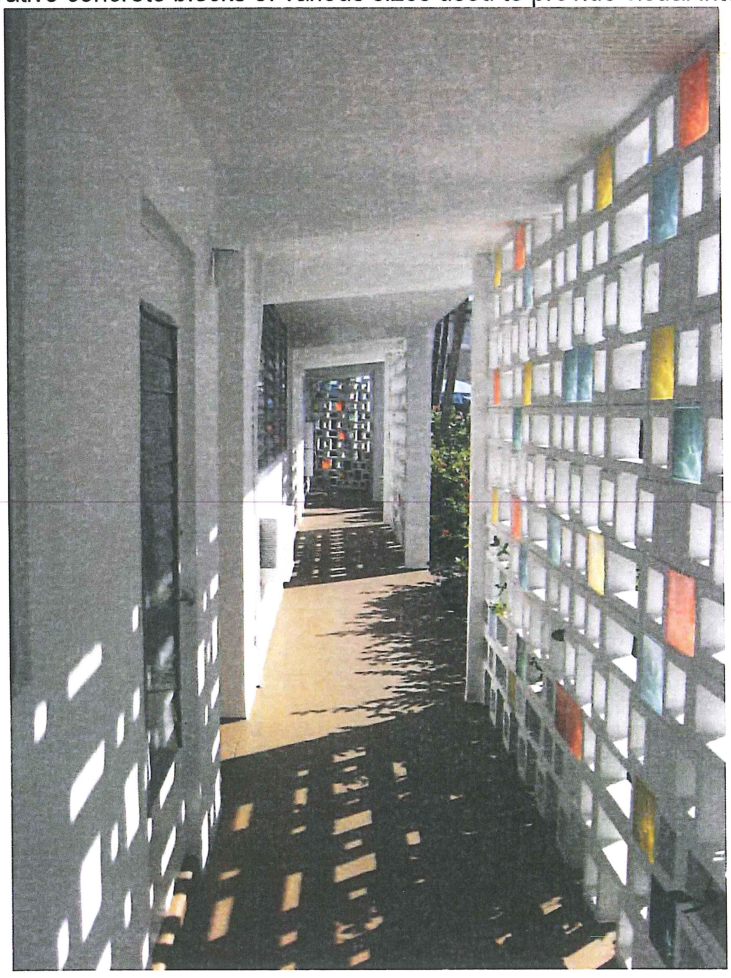




Detail of Main Façade



Decorative concrete blocks of various sizes used to provide visual interest







Interior Courtyard



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Miami-Dade County Historic Preservation Board
Minutes of the February 16, 2011 Meeting
Surf Club
9011 Collins Avenue
Surfside, Florida

I. ROLL CALL

Board Members		Staff Members Present
Ruth Campbell	Absent	Maynel Lorie
Adriana Cantillo	Present	Carlos Dunn
Roger Carlton	Present	Jeff Ransom
Rick Cohen	Absent	Kathleen Kauffman
Paul George	Present	
Hyacinth O. Johnson	Absent	
Robert McKinney	Absent	
Mitch S. Novick, Chair	Present	
JoEllen Phillips	Present	Thomas Logue
Enid C. Pinkney	Present	Assistant County Attorney

II. APPROVAL OF MINUTES

Ms. JoEllen Phillips moved for approval of the minutes. Dr. Adriana Cantillo seconded the motion. Motion was approved by group vote.

Ruth Campbell	absent
Adriana Cantillo	yes
Roger Carlton	yes
Rick Cohen	absent
Paul George	yes
Hyacinth O. Johnson	absent
Robert McKinney	absent
Mitch S. Novick	yes
JoEllen Phillips	yes
Enid Pinkney	yes

III. SWEARING IN OF THE PUBLIC

At this time, Mr. Mitch Novick swore in staff and members of the public who would be speaking before the Board for the public hearing.

IV. PUBLIC HEARING – 2:15 p.m.

A. Request for deferral of any agenda item

Historic Site Designation
Harbor West Apartments
7910 West Drive – Harbor Island
North Bay Village, Florida

Mickey Marrero, attorney for the owner of the property, stated that they would like the item to be deferred because the owner could not be present at the meeting due to a continuing family emergency. He stated that the owner would be attending to his ill wife for an extended period of time. He said they would like to request a deferral of six months. Mr. Roger Carlton asked Mr. Thomas Logue if there is an upstanding agreement to a moratorium within a deferral of so many months. Mr. Logue stated that yes, as long as the applicant agreed on the record that the moratorium would be upheld for the entire six months. He said this agreement can be further memorialized in writing to make it more iron clad. Mr. Carlton spoke about possible reimbursement of advertising costs for the public hearing ads that have been published for this particular item. He also asked about any rules about how many times an item can be deferred and Mr. Logue answered no. Ms. Kauffman said the applicant and the attorney have been very cooperative with this item and that there is potential for support of the designation. Mr. Marrero agreed on the record to the moratorium for the six month period and also agreed to draw up a written agreement as well.

Mr. Carlton motioned for deferral of the item for six months and for staff to investigate reimbursement by the owner for the cost of advertisement of the item. Ms. Enid Pinkney seconded the motion. Motion was approved by group vote.

Ruth Campbell	absent
Adriana Cantillo	yes
Roger Carlton	yes
Rick Cohen	absent
Paul George	yes
Hyacinth O. Johnson	absent
Robert McKinney	absent
Mitch S. Novick	yes
JoEllen Phillips	yes
Enid Pinkney	yes

Historic Site Designation
Bay Harbor Club Co-Op Apartments
1155 103rd ST
Bay Harbor Island, FL 33154

Historic Site Designation
Bay Harbor Continental
Co-Op Apartments
1135 103rd ST
Bay Harbor Island, FL 33154

Ms. Kauffman stated that she wanted to take both items C and D together and bring them before the Board. She said staff has been working on designations on Bay Harbor Island. She said staff gave a presentation to the owners of one of the buildings and members of the town council to explain what designation means to them. She said that they were met with resistance. Ms. Kauffman added that they have been asked to incorporate more of an educational process given to individuals affected by a particular designation. She said she is requesting withdrawal of these two applications at this time. She stated that the best approach would be to move forward on some friendlier designations on the island but to keep educating people about what designation entails and how it could benefit them.

Mr. Novick asked Ms. Kauffman if she is asking the Board to reconsider the zoning in progress that has been imposed on these two sites. She said that with the withdrawal the moratorium would not be there. She said these two buildings are fully occupied and she does not feel an immediate threat to the buildings. Mr. Carlos Gimenez, representing Bay Harbor Continental, spoke before the Board. He said they are supportive of staff's recommendation to withdraw the designation of the property at this time. He said they intend to continue working with staff and to educate themselves about the designation process and how it would affect the building. He said they were caught off guard when notice of the proposed designation was received and were left unsure of what was going to happen to the building and how it would affect the property value and an owner's right to do what they wish with their property.

Cliff Shulman, representing Bay Harbor Club, stated to the Board that he and his clients are in support of the withdrawal of the item. He said they are looking forward to having a meeting with Ms. Kauffman to get educated on the designation process and its benefits.

Mr. Novick stated that he understands that further education is needed and that he felt it would be safe to move forward with staff's recommendation for withdrawal.

Ms. Phillips moved for approval. Ms. Pinkney seconded the motion. Motion was approved by group vote.

Ruth Campbell	absent
Adriana Cantillo	yes
Roger Carlton	yes
Rick Cohen	absent
Paul George	yes
Hyacinth O. Johnson	absent
Robert McKinney	absent
Mitch S. Novick	yes
JoEllen Phillips	yes
Enid Pinkney	yes

Ms. Kauffman stated that the Surf Club is a recent designation by this Board and she said that Stan Price helped with that designation. At first, the Surf Club was not sure they wanted to be designated and now are in the middle of a beautiful renovation project.

V. OLD BUSINESS

Ms. Kauffman said that at the last board meeting, the Board had requested that staff prepare a resolution regarding the skateboard park proposed to be built near a cemetery in the City of Miami. Dr. Paul George said that he had read that the skate park developers were looking at other sites to develop the park.

Dr. George moved for approval of the resolution. Ms. Pinkney seconded the motion. Motion was approved by group vote.

Ruth Campbell	absent
Adriana Cantillo	yes
Roger Carlton	yes
Rick Cohen	absent
Paul George	yes
Hyacinth O. Johnson	absent
Robert McKinney	absent
Mitch S. Novick	yes
JoEllen Phillips	yes
Enid Pinkney	yes

VI. NEW BUSINESS

A. Sunset Report for the County Commission

Ms. Kauffman spoke briefly about the report and how it needs to be adopted by the Board before it is presented to the Commission.

Mr. Roger Carlton asked about the possible ordinance amendment and if anything can be done to generate more revenue for the Board and the office in times of budgetary constraints. Ms. Kauffman said that they had recently requested changes in their fee schedule and a couple of fees have been added that will help bring in more revenue to the office. Mr. Carlton suggested that the Sunset Report should contain some pictures of historic sites that have been designated and GOB projects that have undergone rehabilitation and restoration so the Commission can get a visual of the work the office is accomplishing.

Mr. Carlton moved for adoption of the Sunset Report with the improvement suggestions. Ms. Pinkney seconded the motion. Motion was approved by group vote.

Ruth Campbell	absent
Adriana Cantillo	yes
Roger Carlton	yes
Rick Cohen	absent
Paul George	yes
Hyacinth O. Johnson	absent
Robert McKinney	absent
Mitch S. Novick	yes
JoEllen Phillips	yes
Enid Pinkney	yes

Ms. Phillips suggested that staff draft a resolution to bring to the next meeting stating the Board's support in keeping The Barnacle in Coconut Grove open. Mr. Carlton asked if the Board could make a generic approval at this time and staff can have the resolution ready for the next meeting.

Dr. George motioned for approval of keeping The Barnacle open. Dr. Cantillo seconded the motion. Motion was approved by group vote.

Ruth Campbell	absent
Adriana Cantillo	yes
Roger Carlton	yes
Rick Cohen	absent
Paul George	yes
Hyacinth O. Johnson	absent
Robert McKinney	absent
Mitch S. Novick	yes
JoEllen Phillips	yes
Enid Pinkney	yes

B. Chair's Report

Mr. Novick spoke about the recent arsons that have occurred on Miami Beach that have destroyed 3 historic buildings.

Ms. Phillips announced that the Curtiss Mansion would be doing a soft opening on June 1st.

C. Director's Report

Ms. Kauffman spoke about the Lemon City Cemetery Memorial Garden Ceremony.

Mr. Jeff Ransom made a presentation about the Lemon City Cemetery. He said that it all began in 2008 when he received a call from the City of Miami informing him that human remains had been found on the property during construction. He said that using GPR (Ground Penetrating Radar), the graves and exact size of the cemetery were discovered. He said Ms. Pinkney has spearheaded this effort from the beginning. Mr. Ransom said the people buried there were mostly Bahamian settlers buried there from 1911 to 1935. He added that Ms. Pinkney's research had yielded information about some early incorporators of the City of Miami that had been buried there, including William English. This allowed the site to meet the criteria for historic designation. Mr. Carlton asked if any gravestones were found and Mr. Ransom said that none were found and no one knew what had happened to them.

Mr. Carlton spoke about his new position as Town Manager of Surfside. He said that Kathleen and staff have done interesting studies on the possible historic designations in Surfside. He said this town is a very special place and there are exciting possibilities for designations in the future.

VII. ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned at 3:30 p.m.

_____ _____

Mitch Novick, Chair
Miami-Dade County Historic Preservation Board

Date

_____ _____

Kathleen Kauffman, Historic Preservation Chief
Department of Planning and Zoning

Date

TOWN OF BAY HARBOR ISLANDS

9665 BAY HARBOR TERRACE
BAY HARBOR ISLANDS, FL 33154
305-993-1786

Building Permit

Permit Number: BP2014-359 **Master Permit #:** BP2014-359
Date Issued: 2/18/2015
Expiration Date: 7/18/2015

Applicant

Name: Florida Demolition Inc **Phone:** 305-333-1109
Address: 245 Southeast 1 Street
Miami, FL 33131

Project Description:
Demolition on Structure

Parcel

Unit #:
Parcel Number: 13-2227-026-0001 **Zoning:**
Address: 1135 103 Street Bay Harbor Islands, FL 33154
Lot(s): TRACT **Block:** F

Owners

Name: Bay Harbor Continental Co-Op
Address: 1135 - 103 Street
Bay Harbor Islands, FL 33154

Contractor

Contractor Type: Certified General
Name: Florida Demolition Inc **Phone:** 305-333-1109
Address: 245 Southeast 1 Street
Miami, FL 33131

Inspection Checklist:

Reqd?	*Inspection Type*	*Date*	*Signature*
☑	Final		
☐			
☐			
☐			
☐			
☐			
☐			
☐			

Reqd?	*Inspection Type*	*Date*	*Signature*
☐			
☐			
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Fees and Receipts:

Number	Description		Amount
FEE2015-479	BP-DEMOLITION (Auto)		$3,500.00
FEE2015-480	CONSTRUCTION BOND (Auto)		$1,000.00
FEE2015-481	DC SURCHARGE (Auto)		$84.60
FEE2015-482	PROCESSING FEE (Auto)		$705.00
FEE2015-483	CREDIT CARD SURCHARGE		$1.00
		Total Fees:	**$5,290.60**
RCPT2015-133	2/18/2015		$5,290.60
		Total Receipts:	**$5,290.60**

Permit Information:

Construction Value: $141,000.00

Construction Type:

Purpose:

Total Area:

New Sq Ft: 35000

Comments:

The demolition permit is issued conditioned to the subsequent receipt by this department the presently missing items noted by the plan reviewers.

We respectfully request you to kindly issue the demolition permit for the Property with our assurance that we will not commence any demolition until the electrical supply is fully disconnected and we provide you with the requisite letter from FP&L. We will provide any written confirmations that you may need to obligate ourselves from commencing any demolition until electrical supply and other utilities to the building have been disconnected.

FAILURE TO COMPLY WITH MECHANICS LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR BUILDING IMPROVEMENTS

THIS PERMIT BECOMES NULL AND VOID UNLESS THE WORK AUTHORIZED IS COMMENCED WITHIN ONE HUNDRED AND EIGHTY (180) DAYS AFTER ITS ISSUANCE, OR IF THE WORK AUTHORIZED IS NOT INSPECTED FOR A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS. THE FLORIDA ENERGY CODE SUBMITTED BECOMES AN INTEGRAL PART OF

Any changes in building plans or specifications must be recorded with this office. Any work not cover above, must have a valid permit prior to starting. In consideration of the granting of this permit, the owner and builder agree to erect this structure in full compliance with the Building and Zoning Codes of the Town of Bay Harbor, Florida. This permit fee is not refundable.

This Permit is granted upon the express condition that all facts stated in the application are true and that the work complies strictly with the plans and specifications submitted, and in accordance and compliance with the Building Laws of the State of Florida and with all Ordinances of the Town of Bay Harbor Islands. This permit may be revoked at any time upon the violation of any provisions of said laws, ordinances or rules and regulations, or upon any change in plans and specifications unauthorized by the Town of Bay Harbor Islands. All sidewalks, gutters, drains, fire hydrants, roadways and private driveways within the block in which the work is being done are to be kept open by the Contractor for their intended uses.

Chief Building Official

In consideration of the issuance to me of the foregoing Permit, I hereby agree to do the proposed work or construction in strict conformity with the application and the plans and specifications thereof heretofore by me submitted, and in compliance with all provisions of all Building Laws of State of Flordia and Miami-Dade County, and all Ordinances of the Town of Bay Harbor Islands and all of the rules and regulations of the Town Council of the Town of Bay Harbor Islands.

X

Contractor or Builder

Hours of Construction (Town Code Section 12-26)

The peformance of activity within the town should be allowed only from 9:00 a.m. until 6:00 p.m., Monday to Friday and between the hours of 10:00 a.m. and 5:00 p.m. Saturday. The peformance of construction activity within the town will not be allowed on Sundays and legal holidays, and the same is hereby specifically prohibited. For purposes of this section, the term "legal holidays", is defined as any day legally observed as a holiday by the town.

NOTICE TO OWNER:

IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, AND THERE MAY BE ADDITIONAL PERMITS REQUIRED FROM OTHER GOVERNMENT ENTITIES SUCH AS WATER MANAGEMENT DISTRICTS, STATE AGENCIES, OR FEDERAL AGENCIES.

INSPECTIONS ARE TO BE CALLED IN 24 HRS IN ADVANCE BY THE CONTRACTOR AT (305) 993-1786. ALL INSPECTIONS ARE SCHEDULED ON MONDAY, WEDNESDAY AND FRIDAYS.

Regarding Demolition Permit For

The Bay Harbor Continental
1135 103rd Street
Bay Harbor Islands, FL 33154

To:
Larry N. Wentworth Building Department
Bay Harbor Islands, FL 33154

Dear Larry,

We respectfully request you to kindly issue the demolition permit for the Property with our assurance that we will not commence any demolition until the electrical supply is fully disconnected and we provide you with the requisite letter from FP&L.

We will provide any written confirmations that you may need to obligate ourselves from commencing any demolition until electrical supply and other utilities to the building have been disconnected.

Thank you.

Sincerely,

Gaurav Butani

P3 Investments 1 LLC
1101 Brickell Avenue South Tower
8th Floor
Miami, FL 33154

FEB 18, 2015

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Project Summary

Pursuant to your request; ARS Environmental, Inc., has performed an Asbestos Building Survey on 9/5/2014 and limited to the above referenced location.

The **Interior/Exterior/Roof** of the above referenced location was visually inspected to identify building materials that may contain asbestos. Suspect materials were collected and samples sent to laboratory for analysis.

Laboratory Results

Based On The Laboratory Analysis, Asbestos Was Detected In Amounts Greater Than 1% In The Secured Bulk Samples.

It has been a pleasure working with you. Please call on us again.

Regards,

Alex Front,
ARS Environmental, Inc.

Prepared For:

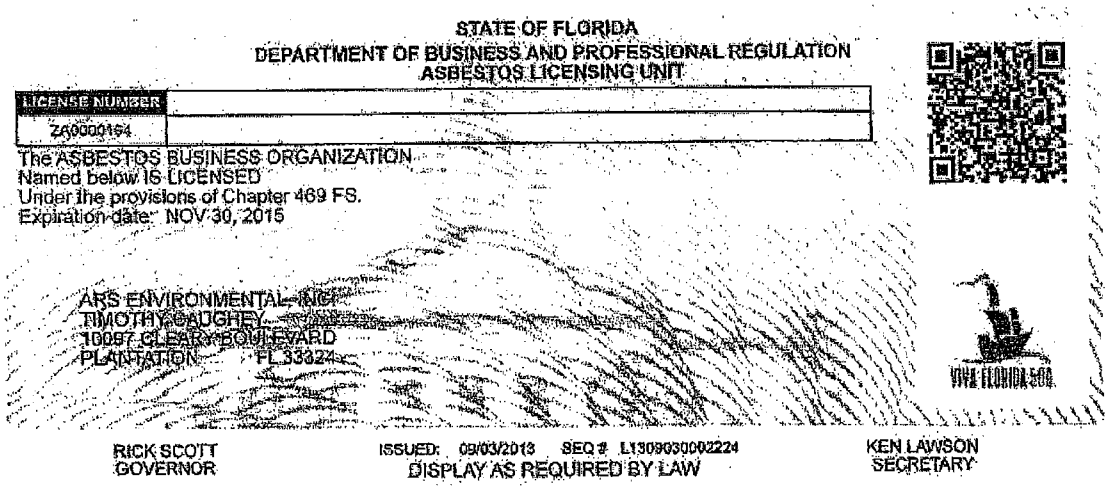
Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Certification

I hereby certify that this asbestos survey was conducted at the above referenced Job Site on 9/5/2014, and performed by Jeffrey Montalvan; accredited by the EPA as AHERA Inspector(s), utilizing the code of the Federal Regulation Standards, 40 CFR, Part 763, Subpart E, Section 763.80-763.99 and the State Asbestos Regulations, Florida Statutes 469.003.



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
ASBESTOS LICENSING UNIT

LICENSE NUMBER
ZA0000164

The ASBESTOS BUSINESS ORGANIZATION
Named below IS LICENSED
Under the provisions of Chapter 469 FS.
Expiration date: NOV 30, 2015

ARS ENVIRONMENTAL INC
TIMOTHY CAUGHEY
10097 CLEARY BOULEVARD
PLANTATION FL 33324

RICK SCOTT
GOVERNOR

ISSUED: 09/03/2013 SEQ # L13090300002224
DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

Timothy F. Caughey, M.P.H.
Florida Licensed Consultant

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Certification


Asbestos Consulting & Training Systems

This is to Certify that

Jeffrey Montalvan

XXX-XX-7325

1040 NE 179th St., Miami, 33162

has successfully completed an English

Asbestos Building Inspection Refresher

29-Jan-14 TO 29-Jan-14

NDAAC Provider #451 Trainer(s): Mark Kulck

Training Address: 900 NW 5 AV, Fort Lauderdale, FL, 33311

Successful course completion based on exam score on: 01/29/14

This Certificate Expires:

29-Jan-15 01/29/15

Processed By:

Seagull

To Authenticate Certificate www.seagulltraining.com 1-800-966-9933

James F. Stump, Course Sponsor

Certificate Number..... 189360

Course Number SE1405

Jeffrey Montalvan
Certified Asbestos Surveyor
ARS Environmental, Inc.

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 1	Surfacing Material	Good	None	None	High	Non-friable	92,190 Sq. Ft.		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 2	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 3	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 4	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 5	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 6	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 7	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 8	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 9	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 10	Surfacing Material	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Interior Plaster Coat	All Units Throughout Walls And Ceilings							
Sample 11	Miscellaneous	Good	None	None	High	Friable	38,600 Sq. Ft.		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 12	Miscellaneous	Good	None	None	High	Friable	Included Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 13	Miscellaneous	Good	None	None	High	Friable	Unknown Area		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 14	Miscellaneous	Good	None	None	High	Friable	Unknown Area		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 15	Miscellaneous	Good	None	None	High	Friable	Unknown Area		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 16	Miscellaneous	Good	None	None	High	Friable	Unknown Area		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 17	Miscellaneous	Good	None	None	High	Friable	Unknown Area		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 18	Miscellaneous	Good	None	None	High	Friable	Unknown Area		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

Prepared For:

Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 19	Miscellaneous	Good	None	None	High	Friable	Included Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 20	Miscellaneous	Good	None	None	High	Friable	Included Above		Asbestos Not Detected
Layer	Wallboard / Joint Compound	Throughout Some Walls In Kitchen And Under Windows Behind Plaster							
Sample 21	Miscellaneous	Good	None	None	Low	Non-friable	3 Sq. Ft.		Asbestos Not Detected
Layer	Black Sink Insulation	Kitchen Unit 1 C - 11							
Sample 22	Miscellaneous	Good	None	None	Low	Non-friable	3 Sq. Ft.		YES
Layer	Black Sink Insulation	Kitchen Unit D - 1							
Sample 23	Miscellaneous	Good	None	None	Low	Non-friable	3 Sq. Ft.		Asbestos Not Detected
Layer	Black Sink Insulation	Kitchen Unit D - 3							
Sample 24	Miscellaneous	Good	None	None	Low	Friable	2 Sq. Ft.		YES
Layer	Space Heater Insulation	Bathroom Wall Unit D - 1							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

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Asbestos Survey — Bulk Sample Itemization

Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 25	Miscellaneous	Good	None	None	Low	Friable	2 Sq. Ft.		Yes
Layer	Space Heater Insulation	Bathroom Wall Unit G - 5							
Sample 26	Miscellaneous	Good	None	None	High	Non-friable	64 Sq. Ft.		Asbestos Not Detected
Layer	Floor Tiles; Peel And Stick; Black Mastic	1st Floor Mechanical Room Hallway							
Sample 27	Miscellaneous	Good	None	None	High	Non-friable	77 Sq. Ft.		Asbestos Not Detected
Layer 1	Floor Tiles; Peel And Stick; Beige Mastic	Kitchen Unit C - 4							
Sample 28	Miscellaneous	Good	None	None	High	Non-friable	77 Sq. Ft.		Asbestos Not Detected
Layer 2	12" X 12" Floor Tiles; Beige Mastic	Kitchen Unit C - 4							
Sample 29	Miscellaneous	Good	None	None	Low	Non-friable	7,800 Sq. Ft.		Asbestos Not Detected
Layer	Roof Material; Membrane	Over Building Under Gravel Rocks							
Sample 30	Miscellaneous	Good	None	None	Low	Non-friable	240 Ln. Ft.		Asbestos Not Detected
Layer	Roof Material; Flashing	Perimeter Of Roof And Roof Joints							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

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Sample Number	Material Class / Sample Description / Location	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Approximate Size	Positive Stop	Asbestos Detected
Sample 31	Miscellaneous	Good	None	None	High	Non-friable	88 Sq. Ft.		Yes
Layer	9" X 9" Floor Tiles Black Mastic Mastic Positive Only	Kitchen Unit D - 1							
Sample 32	Miscellaneous	Good	None	None	High	Non-friable	67,200 Sq. Ft.		Asbestos Not Detected
Layer	Concrete Structure	Floors And Exterior Walls Main Building And Pool Building							
Sample 33	Miscellaneous	Good	None	None	High	Non-friable	Included Above		Asbestos Not Detected
Layer	Concrete Structure	Floors And Exterior Walls Main Building And Pool Building							
Sample 34	Miscellaneous	Good	None	None	Low	Non-friable	1,060 Sq. Ft.		Asbestos Not Detected
Layer	Roof Material; Membrane	Over Pool Building							

The following non-suspect materials were observed during the survey (no samples were taken): No insulation observed behind the walls. A/C duct fiberglass insulation. Window mounted a/c units. Terrazzo flooring, ceramic tiles, carpet, wood.

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Friable Asbestos Containing Material

Sample Number	Description / Material Class	Location	Approximate Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Asbestos Detected
Sample 24 Layer	Space Heater Insulation Miscellaneous	Bathroom Wall Unit D - 1	2 Sq. Ft.	Good	None	None	Low	Friable	Yes
Sample 25 Layer	Space Heater Insulation Miscellaneous	Bathroom Wall Unit G - 5	2 Sq. Ft.	Good	None	None	Low	Friable	Yes

Recommendations

Friable: any material containing more than one percent asbestos which has been applied on ceilings, walls, structural members, piping, duct work, or any other part of a building, which when dry, may be crumbled, pulverized, or reduced to powder by hand pressure.

The following work practice should be followed whenever demolition/renovation activities involving RACM occur: Notify EPA of intention to demolish/renovate, remove all RACM from a facility being demolished or renovated before any disruptive activity begins or before access to the material is precluded, keep RACM adequately wet before, during, and after removal operations, conduct demolition/renovation activities in a manner which produces no visible emissions to the outside air, and handle and dispose of all RACM in an approved manner.

The above building material is considered friable and must be removed by a Florida Licensed Asbestos Abatement Contractor, prior to any disturbance caused by renovation or demolition.

When implementing the response actions, parties responsible for final selection should remember that actions shall be sufficient to protect human health and the environment, but may also be the least burdensome method. Nothing in these recommendations should be construed as prohibiting or discouraging removal.

In the event that demolition or renovation is deemed necessary, parties shall comply with all applicable laws, ordinances, rules and regulations of Federal, State and Local Governmental Agencies, including any National Emissions Standard Hazardous Air Pollutants (N.E.S.H.A.P.) Notification requirements

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Category I - Non-Friable Asbestos Containing Material

Sample Number	Description / Material Class	Location	Approximate Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Asbestos Detected
Sample 22 Layer:	Black Sink Insulation Miscellaneous	Kitchen Unit D - 1	3 Sq. Ft.	Good	None	None	Low	Non-friable	Yes
Sample 31 Layer:	9" X 9" Floor Tiles Black Mastic Mastic Positive Only Miscellaneous	Kitchen Unit D - 1	88 Sq. Ft.	Good	None	None	High	Non-friable	Yes

Recommendations

The above referenced Asbestos Contained Building Materials may be left in place if deemed to be in good condition and no repairs or renovations are scheduled which would disturb them. Care should be taken to ensure that the materials not be disturbed during repair, renovation or remodelling activities which could possibly release fibers into the air. To reduce the intrinsic liability to the owners, the ultimate solution may be to have the material removed. However, at the minimum, a formal Operations and Maintenance (O&M) Program is recommended to minimize potential fiber releases, monitor any future deterioration, and to ensure proper record keeping.

Under the FDEP regulations, Category I non-friable asbestos-containing materials may be left in place during demolition under wet conditions. However, OSHA regulations require that disposal of asbestos-containing materials and debris is disposed of in a leak-tight and labeled container. The container may be plastic bags so long as the holding is leak-tight. All materials must be disposed of in a Class I landfill and manifest as Category I Non-Friable Asbestos containing material.

To meet the requirements of a wet demolition, it is the responsibility of the demolition contractor to control any visible emissions by adequately applying water on the structure. Furthermore, the work practices for the demolition of a building containing asbestos must be in regulatory compliance with OSHA 1926.1101. All materials must be kept thoroughly wet or saturated during the demolition to assist in preventing the release of asbestos fibers. A certified asbestos supervisor must perform or supervise the work. If during the demolition process visible emissions are observed, the asbestos-containing materials must then be abated.

The regulations of the Occupational Safety and Health Administration (OSHA) applies to any detectable amount of asbestos in building materials or on facility components. This requirement covers worker training, work practices, and disposal methods. In summary, removing asbestos in a commercial setting requires training, specific work practices, and disposal methods for the asbestos and asbestos-containing debris.

However, if Category I Materials have become friable or are in poor condition, they must be removed before demolition or renovation begins by a Florida Licensed Asbestos Abatement Contractor.

When implementing the response actions, parties responsible for final selection should remember that actions shall be sufficient to protect human health and the environment, but may also be the least burdensome method. Nothing in these recommendations should be construed as prohibiting or discouraging removal.

Today's Date: 9/9/2014 | **Project Number: 20142164** |

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Bay Harbor, Fl

Category II - Non-Friable Asbestos Containing Material

Sample Number	Description / Material Class	Location	Approximate Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability	Asbestos Detected

NONE DETECTED

Recommendations

The above referenced Asbestos Contained Building Materials may be left in place if deemed to be in good condition & no repairs or renovations are scheduled which would disturb them. Care should be taken to ensure that the materials not be disturbed during repair, renovation or remodelling activities which could possibly release fibers into the air. To reduce the intrinsic liability to the owners, the ultimate solution may be to have the material removed.

The above building materials are considered Category II Non-Friable and are likely to become crushed, crumbled, pulverized or reduced to powder during demolition or renovation therefore must be removed before demolition or renovation begins by a Florida Licensed Asbestos Abatement Contractor.

To meet the requirements of a wet demolition, it is the responsibility of the demolition contractor to control any visible emissions by adequately applying water on the structure. Furthermore, the work practices for the demolition of a building containing asbestos must be in regulatory compliance with OSHA 1926.1101. All materials must be kept thoroughly wet or saturated during the demolition to assist in preventing the release of asbestos fibers. A certified asbestos supervisor must perform or supervise the work. If during the demolition process visible emissions are observed, the asbestos-containing materials must then be abated.

The regulations of the Occupational Safety and Health Administration (OSHA) applies to any detectable amount of asbestos in building materials or on facility components. This requirement covers worker training, work practices, and disposal methods. In summary, removing asbestos in a commercial setting requires training, specific work practices, and disposal methods for the asbestos and asbestos-containing debris.

However, if Category II Materials have become friable or are in poor condition, they must be removed before demolition or renovation begins by a Florida Licensed Asbestos Abatement Contractor.

When implementing the response actions, parties responsible for final selection should remember that actions shall be sufficient to protect human health and the environment, but may also be the least burdensome method. Nothing in these recommendations should be construed as prohibiting or discouraging removal.

General Terms and Conditions

Scope of Work

ARS Environmental's inspections are limited and non-destructive in nature. Any conditions or materials which were not able to be visually observed on the surface, or in easily accessible areas, were not inspected and may differ from those observed. It was not within the scope of this investigation to remove surface materials to investigate portions of the structure or materials which lay beneath the surface. Our selection of sample locations and frequency is based upon our observations and the assumption that like materials in the same area are homogeneous. This inspection report is the result of a diligent search of the facility for Asbestos Containing Building Materials (ACBM). The purpose of this inspection was to identify those materials which may pose a health hazard to occupants of a building and impart future liability to the owners and insurers of the property. However, we do not claim to have identified all of the asbestos containing building materials present in the facility. Materials such as underground pipes, any material inside walls, ceilings, floors, or other enclosed and inaccessible areas were not sampled and are not covered in this report. This report is designed to aid the building owner, architect, construction manager, general contractor, and potential asbestos abatement contractor in locating asbestos containing building materials. Under no circumstances is this report to be utilized as a proposal or a project specification document. This report is based upon conditions and practices observed at the property and information made available to the surveyor. This report does not intend to identify all hazards or unsafe practices, nor to indicate that other hazards or unsafe practices do not exist at the premises. In the event that demolition or renovation is deemed necessary, parties shall comply with all applicable laws, ordinances, rules, and regulations of federal, state, and local governmental agencies, including any National Emissions Standard Hazardous Air Pollutants (NESHAP) notification requirements.

Right of Entry

The client will provide for right of entry to ARS Environmental's personnel in order to complete the above referenced work.

Invoices

ARS Environmental will submit invoices to client upon completion of services.

Ownership of Documents

All reports, field data, field notes, laboratory tests data, calculations, estimates, and any other documents prepared by ARS Environmental as instruments of service shall remain the property of ARS Environmental.

Assumptions and Limitations

The results, findings, conclusions, and recommendations expressed in this report are based only on conditions which were observed during inspections by this report. ARS Environmental makes no representation or assumptions as to past conditions or future occurrences.

Assigns

Neither the client nor ARS Environmental may delegate, assign, sublet or transfer his duties or interest in this agreement without the written consent of the other party.

Roof Cuts

To obtain accurate information in a roof investigation, roof cuts approximately four inch 4" squares, may be deemed necessary. It is the responsibility of our client to make appropriate repairs to these roof cuts, using materials consistent with the roofing system and in accordance with any existing material manufacturer's warranties. A roofing contractor or maintenance personnel selected by our client should be on the roof to make any necessary repairs at the time the samples are being obtained. Although, every attempt will be made to make these repaired areas water tight, ARS Environmental will in no way be responsible for any water damage to the roofing system, building, or it's contents resulting from ARS Environmental temporary repairs.

Disclaimer

If in the course of a renovation or demolition activity, suspect materials become exposed, ALL FURTHER ACTIVITY SHOULD IMMEDIATELY CEASE AND THE STATUS OF THE MATERIAL SHOULD BE DETERMINED BEFORE PROCEEDING.

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P3 Real Estate Investments
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Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS Environmental, Inc. — Page 1 Of 4

CHAIN OF CUSTODY — PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14 — Project Location: CONDO BLDG 1135 103 RD STREET BAY HARBOR, FL

Samples Taken By: J. MONTALVAN

Project Number: 2014-2164

Sample Layer	Material Class	Sample Description	Sample Location	Approx. Size	Sample Condition	Physical Damage	Water Damage	Material Content	Sample Friability
1	S	INTERIOR PLASTER COAT	THROUGHOUT THE WALLS AND CEILINGS INSIDE ALL	92,190'	G	N	N	H	NF
2	S	" "	THESE UNITS. " "	"					
3	S	" "	" "	"					
4	S	" "	" "	"					
5	S	" "	" "	"					
6	S	" "	" "	"					
7	S	" "	" "	"					
8	S	" "	" "	"					
9	S	" "	" "	"					
10	S	" "	" "	"					

(Material Class: S=Surfacing Materials, TI=Thermal Insulation (TSI), M=Miscellaneous Materials)

Friability: NF=Category I or Category II Non-Friable Material (when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure.) F=Material that may be crumbled, pulverized, or reduced to powder by hand pressure when dry.)

Transferred By: [signature] Date: 9/5/14 — Received By: [signature] Date: 9/7/14

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Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS ENVIRONMENTAL, INC.
CHAIN OF CUSTODY

Page 2 Of 4
PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14
Project Location: CONDO BLDG
Samples Taken By: J. MONTALVAN
1135 103RD STREET
Project Number: 2014-2164
X INT X EXT X ROOF
BAY HARBOR, FL

Sample Layer	Material Class	Sample Description	Sample Location	Approx. Size	Sample Condition	Physical Damage	Water Damage	Material Contact	Sample Friability
11	M	WALLBOARD/JOINT COMPOUND	THROUGHOUT SOME WALL INSIDE KITCHEN AND UNDER WINDOWS BEHIND PLASTER	38600'	G	N	N	H	F
12	M	" "	" "	IA					
13	M	" "	" "	IA					
14	M	" "	" "	IA					
15	M	" "	" "	IA					
16	M	" "	" "	IA					
17	M	" "	" "	IA					
18	M	" "	" "	IA					
19	M	" "	" "	IA					
20	M	" "	" "	IA					

Material Class
S=Surfacing Materials T=Thermal Insulation (TSI) M=Miscellaneous Materials

Friability: NF=Category I or Category II Non-Friable Material (Material that, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure.) F=(Material that may be crumbled, pulverized, or reduced to powder by hand pressure when dry.)

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Bay Harbor, Fl

Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS Environmental, Inc. — Page 3 Of 4

CHAIN OF CUSTODY — PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14 — Project Location: CONDO BLDG 1135 103RD STREET BAY HARBOR, FL

Samples Taken By: J. MONTALVAN

Project Number: 2014-2164

Sample / Layer	Material Class	Sample Description	Sample Location	Approx. Size	Surface Condition	Physical Damage	Water Damage	Material Contact	Sample Friability
21	M	BLACK SINK INSULATION	INSIDE KITCHEN AREA OF UNIT (C-1)	3'	G	N	N	L	NF
22	M	" "	INSIDE KITCHEN AREA OF (D-1)	3'					
23	M	" "	INSIDE KITCHEN AREA OF (D-3)	3'					↓
24	M	SPACE HEATER INSULATION	INSIDE THE BATHROOM WALL OF (D-1)	2'					F
25	M	" "	INSIDE THE BATHROOM WALL OF (G-5)	2'	↓	↓	↓	↓	↓
26	M	BLACK PEEL & STICK FLOOR TILES & MASTIC	1ST FLOOR MECHANICAL ROOM HALLWAY	64'	G	N	N	H	NF
27/1	M	BEIGE PEEL & STICK FLOOR TILES/MASTIC	INSIDE UNIT (C-4) KITCHEN 1ST LAYER	77'					
28/2	M	IN BEIGE FLOOR TILES & MASTIC	INSIDE UNIT (C-4) KITCHEN 2ND LAYER	77'				↓	
29	M	ROOF MATERIAL (MEMBRANE)	OVER THIS BLDG UNDER GRAVEL ROCKS.	7800				L	
30	M	ROOF MATERIAL (FLASHING)	AROUND THE PERIMETER AT THE ROOF JOINTS.	240LF	↓	↓	↓	↓	↓

Material Class: S=Surfacing Materials, TI=Thermal Insulation (TSI), M=Miscellaneous Materials

Friability: NF=Category I or Category II Non-Friable Material that, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure. F=Material that may be crumbled, pulverized, or reduced to powder by hand pressure when dry.

Transferred By: _____ Date: 9/5/14 — Received By: _____ Date: 9/7/14

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Today's Date: 9/9/2014	**Project Number: 20142164**	Page 17 of 21

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Asbestos Survey — Technician Chain of Custody Forms and Field Notes

ARS ENVIRONMENTAL, INC.
CHAIN OF CUSTODY

Page 4 Of 4
PLM Analysis: Asbestos Bulk Samples

Positive Stop Requested
Point Count Requested On Friable Materials That Report Less Than 1%

Turnaround Time Requested: Same Day • 24 Hour • 48 Hour • 72 Hour

Sampling Date: 9/5/14
Project Location: CONDO BLDG
Samples Taken By: J. MONTALVAN
1135 103RD STREET
Project Number: 2014-2164
BAY HARBOR, FL

Sample Level	Material Class	Sample Description	Sample Location	Approx. Size	Sample Condition	Physical Damage	Water Damage	Material Condition	Sample Probability
31	M	9X9 FLOOR TILES & BLACK MASTIC	INSIDE THE KITCHEN AREA UNIT (D-1)	88'	G	N	N	H	NF
32	M	CONCRETE STRUCTURE	THROUGHOUT THE FLOORS AND EXTERIOR WALLS MAIN	67200'	↓	↓	↓	↓	↓
33	M	" "	BLDG AND POOL BLDG. " "	5A	↓	↓	↓	↓	↓
34	M	ROOF MATERIAL (MEMBRANE)	OVER POOL BLDG.	1060'	↓	↓	↓	L	↓
		NO INSULATION OBSERVED BEHIND THE WALLS A/C DUCT FIBERGLASS INSULATION AND WINDOW UNITS							
		TERRAZO FLOORS, CERAMIC TILES, CARPET AND WOOD OBSERVED NOT TYPICAL SUSPECT MATERIAL.							

Material Class: S=Surfacing Materials To Thermal Insulation (TSI) N=Miscellaneous Materials

Friability: (S=Category I or Category II Non-Friable Material Required that, when dry, may not be ordinated, pulverized, or reduced to powder by hand pressure.) F=(Material that may be ordinated, pulverized, or reduced to powder by hand pressure when dry)

Transferred By: [signature] Date: 9/5/14 Received By: [signature] Date: 9/7/14

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Asbestos Survey — Laboratory Results

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Environmental Consulting Services
Asbestos Business License #ZA-0000164
Asbestos Consulting • Radon Measurements • Lead Assessments • Indoor Air Quality Testing • Mold Investigations

Today's Date: 9/9/2014 Project Number: 20142164 Page 1 of 4

Prepared For:

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Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
1	Plaster	No Asbestos Detected		100%
2	Plaster	No Asbestos Detected		100%
3	Plaster	No Asbestos Detected		100%
4	Plaster	No Asbestos Detected		100%
5	Plaster	No Asbestos Detected		100%
6	Plaster	No Asbestos Detected		100%
7	Plaster	No Asbestos Detected		100%
8	Plaster	No Asbestos Detected		100%
9	Plaster	No Asbestos Detected		100%
10	Plaster	No Asbestos Detected		100%

Alex Front,
Analyst

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Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
11	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
12	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
13	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
14	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
15	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
16	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
17	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
18	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
19	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%
20	Drywall / Joint Compound	No Asbestos Detected	30% Cellulose 25% Glass	45%

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Analyst

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Asbestos Survey — Laboratory Results

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Joel Reed
P3 Real Estate Investments
1101 Brickell Avenue, 8th Floor
Miami, Fl 33134

Job Site:

35 Condominium Units
1135 103rd Street
Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
21	Sink Insulation	No Asbestos Detected	15% Cellulose 5% Synthetic	80%
22	Sink Insulation	[illegible]	15% Cellulose 5% Synthetic	75%
23	Sink Insulation	No Asbestos Detected	15% Cellulose 5% Synthetic	80%
24	Space Heater	[illegible]		55%
25	Space Heater	[illegible]		55%
26	Floor Tile Mastic	No Asbestos Detected No Asbestos Detected	 10% Cellulose	100% 90%
27	Floor Tile Mastic	No Asbestos Detected No Asbestos Detected	 10% Cellulose	100% 90%
28	Floor Tile Mastic	No Asbestos Detected No Asbestos Detected	 10% Cellulose	100% 90%
29	Membrane	No Asbestos Detected	35% Cellulose 20% Glass 5% Synthetic	40%
30	Flashing	No Asbestos Detected	35% Cellulose 15% Glass 5% Synthetic	45%

Alex Front,
Analyst

10097 Cleary Boulevard • #305 • Plantation, FL 33324 • Phone: 954-227-2402 • Fax: 866-816-5110
www.arsenvironmental.com • sales@arsenvironmental.com

Asbestos Survey — Laboratory Results

ARS ENVIRONMENTAL, INC.
Environmental Consulting Services
Asbestos Business License #ZA-0000164
Asbestos Consulting • Radon Measurements • Lead Assessments • Indoor Air Quality Testing • Mold Investigations

Today's Date: 9/9/2014 Project Number: 20142164 Page 4 of 4

Prepared For:	Job Site:
Joel Reed P3 Real Estate Investments 1101 Brickell Avenue, 8th Floor Miami, Fl 33134	35 Condominium Units 1135 103rd Street Bay Harbor, Fl

Laboratory Analysis

Sample Number	Gross Description	Estimated Asbestos Percentage	Non-asbestos % Fibers	Non-fibrous % Materials
31	Floor Tile	No Asbestos Detected		100%
	Black Mastic	5% Chrysotile	10% Cellulose	85%
32	Concrete	No Asbestos Detected		100%
33	Concrete	No Asbestos Detected		100%
34	Membrane	No Asbestos Detected	30% Cellulose 25% Glass	45%

Alex Front,
Analyst

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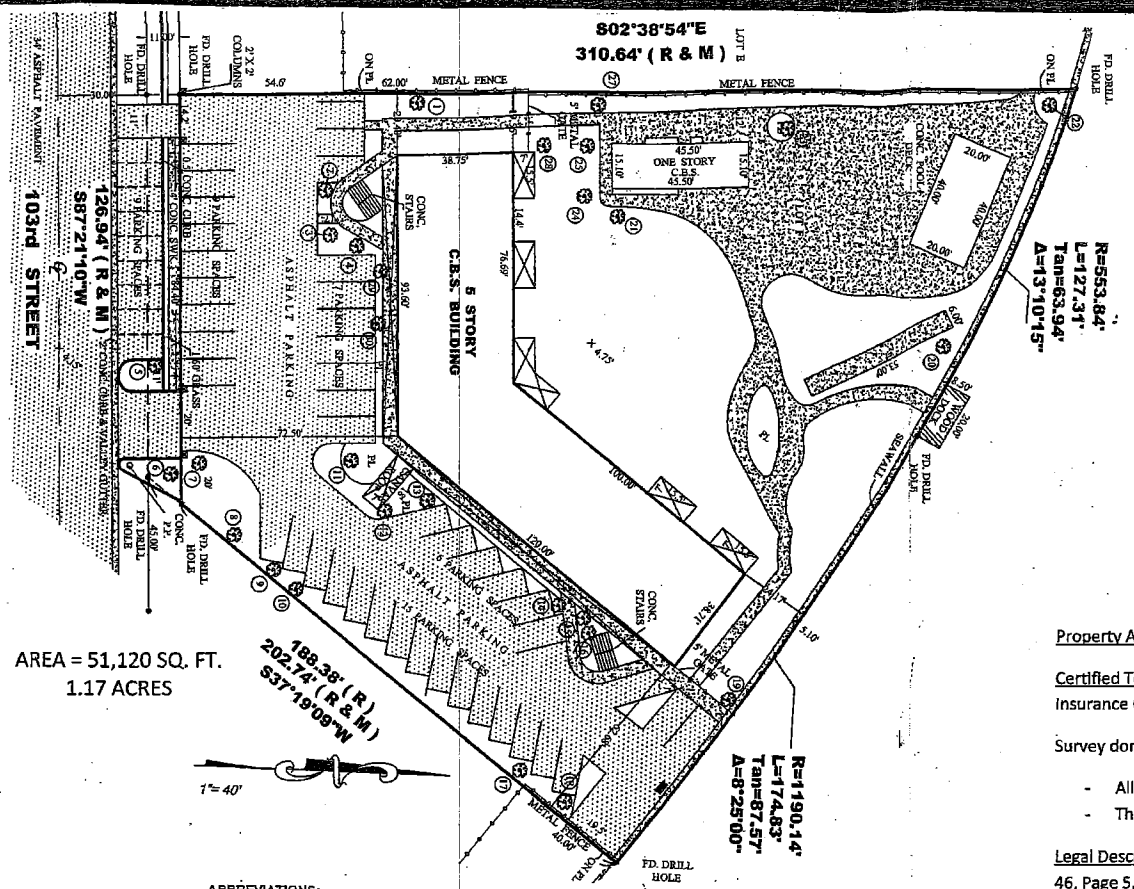
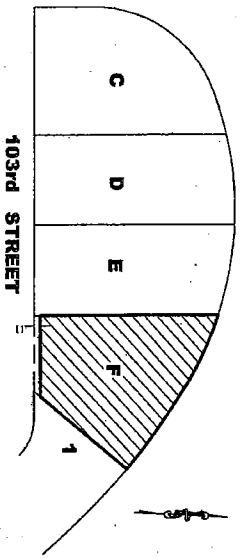


LOCATION SKETCH
SCALE: NTS



ALTA SURVEY

Property Address: 1135 103rd St., Bay Harbor Islands, FL 33154.

Certified To: P3 Investments I, LLC a Florida limited liability company; Akerman LLP; First American Title Insurance Company.

Survey done according to First American Title Insurance Company File Number: 1062-3134633.

- All Schedule B-II title exceptions are blanket in nature and not plottable.
- There are no encroachments on the property.

Legal Description: Tract "F" of BAY HARBOR ISLAND, according to the Plat thereof, recorded in Plat Book 46, Page 5, of the Public Records of Miami-Dade County, Florida.

LESS AND EXCEPT, that portion conveyed to the Town of Bay Harbor Islands, a Florida municipality by that instrument recorded in Official Records Book 427, Page 281, of the Public Records of Miami-Dade County, Florida

ABBREVIATIONS:
SWK=SIDEWALK, CBS=CONCRETE BLOCK STRUCTURE, CLF=CHAIN LINK FENCE, PL=PROPERTY LINE, DUE=DRAINAGE UTILITY EASEMENT, IP=IRON PIPE, F=FOUND, A/C=AIR CONDITIONER PAD, P/C=PROPERTY CORNER, D/H=DRILLED HOLE, WF=WOODEN FENCE, RES=RESIDENCE, CL-C=LEAR, RB=RES-R, UE=UTILITY EASEMENT, CONC=CONCRETE SLAB, R/W=RIGHT OF WAY, DE=DRAINAGE EASEMENT, C/L=CENTER LINE, Ø=DIAMTER, TYP=TYPICAL, M=MEASURED, R=RECORDED, ENCR=ENCROACHMENT, COMP=COMPUTER, ASH=ASPHALT, N/D=NAIL & DISC, S=SET, FEE=FINISH FLOOR ELEVATION, O/S=OFFSET, P/P=POWER POLE, OHP=OVERHEAD POWERLINE, WM=WATER METER
WOOD FENCE=
MASONRY WALL=
CONCRETE=
MAINTENANCE & DRAINAGE EASEMENT= M & D.E.

ELEVATION BASED ON LOC. #
CBM# ELV.

TYPE OF SURVEY: BOUNDARY SURVEY

SURVEYOR'S NOTES: 1) OWNERSHIP SUBJECT TO OPINION OF TITLE. 2) NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 3) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. 4) UNDERGROUND ENCROACHMENTS NOT LOCATED. 5) ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929. 6) OWNERSHIP OF FENCES ARE UNKNOWN. 7) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. 8) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK FOR BUILDING AND ZONING INFORMATION.

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

BEARINGS WHEN SHOWN ARE REFERRED TO AN ASSUMED VALUE OF SAID PB 46 PAGE 5

NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL

REVISED:

I HEREBY CERTIFY That the survey represented thereon meets the minimum technical requirements adopted by the STATE OF FLORIDA Board of Land Surveyors pursuant to Section 472.027 Florida Statutes.
There are no encroachments, overlaps, easements appearing on the plat or visible easements other than as shown hereon.

ADIS N. NUNEZ
REGISTERED LAND SURVEYOR
STATE OF FLORIDA #5924

SINCE 1987
BLANCO SURVEYORS INC.
Engineers • Land Surveyors • Planners • LB # 0007059
555 NORTH SHORE DRIVE
MIAMI BEACH, FL 33141
(305) 865-1200 Email: blancosurveyorsinc@yahoo.com Fax: (305) 865-7810

FLOOD ZONE: AE		SUFFIX: L	DATE: 9/11/09 BASE: 9'
PANEL: 0144		COMMUNITY # 120637	
DATE: 8/25/14	SCALE: 1" = 40'	DWN. BY: F. Blanco	JOB No 14-257

TREE CHART

No.	NAME	DIAMETER	HEIGHT	SPAN
1	PINE TREE	2.5'	60'	15'
2	PALMETTO PALM	1'	30'	10'
3	TWIN PALMETTO PALM	1'	12'	10'
4	UMBRELLA TREE	2'	20'	15'
5	PALMETTO PALM	2'	10'	12'
6	PALMETTO PALM	1.5'	10'	12'
7	PALMETTO PALM	1.2'	8'	10'
8	PALMETTO PALM	1.5'	15'	12'
9	PALMETTO PALM	2'	16'	14'
10	PALMETTO PALM	1.5'	12'	12'
11	PALMS (3)	0.7' EACH	35'	12'
12	PALMS (3)	0.60' EACH	25'	12'
13	UMBRELLA TREE	1.5'	15'	12'
14	PALMETTO PALM	0.60'	30'	10'
15	PALMETTO PALM	0.80'	30'	10'
16	UMBRELLA TREE	1' & 1.3'	20'	15'
17	PALMETTO PALM	1'	15'	12'
18	PALMETTO PALM	2'	9'	10'
19	BIRD OF PARADISE	0.30' EACH	20' (1) 15' (6)	5' EACH
20	SEA GRAPE TREET (2)	1' (1) 0.80' (1)	15' EACH	20' EACH
21	SEA GRAPE TREET	1.2'	12'	24'
22	ONKNOWN SMALL TREE & CLUSTER	0.40' (1) 0.10' - 0.25' (REST)	12'	12'
23	BUSH	8'	6'	8'
24	PALM (1)	0.40'	15'	8'
	TREE (4) CLUSTER	4'	12'	12'
25	PALM (1)	0.40'	12'	10'
	TREE (4) CLUSTER	2'	10'	15'
26	PALMS CLUSTER	4'	14'	18'
27	COCONUT PALM	1'	20'	15'
28	COCONUT PALM	0.35'	7'	5'
29	BIRD OF PARADISE	1.2'	15'	20'
30	BIRD OF PARADISE	1.0'	10'	15'

ABBREVIATIONS:
SW=SIDEWALK, CBS=CONCRETE BLOCK STRUCTURE, CLF=CHAIN LINK FENCE, P/L=PROPERTY LINE, DUE=DRAINAGE UTILITY EASEMENT, IP=IRON PIPE, F=FOUND, A/C=AIR CONDITIONER PAD, P/C=PROPERTY CORNER, D/H=DRILLED HOLE, WF=WOODEN FENCE, RES=RESIDENCE, CL=CLEAR, R/W=REAR, UE=UTILITY EASEMENT, CONC=CONCRETE, BLKS, R/W=RIGHT OF WAY, DE=DRAINAGE EASEMENT, C/L=CENTER LINE, D=DIAMTER, TYP=TYPICAL, (MEASURED, R=RESIDENCE, ENCR=ENCROACHMENT, COMP=COMPUTER, ASH=ASPHALT, N/D=NAIL & DISC, S=SET, FFE=FINISH FLOOR ELEVATION, [illegible]

ELEVATION BASED ON LOC. #
CBM#
ELV.

[illegible] SURVEY.

SURVEYOR'S NOTES: 1) NO TITLE RESEARCH PERFORMED SUBJECT TO OPINION OF TITLE. 2) NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 3) THE SURVEY DEPICTED HEREON WAS PREPARED BY PROFESSIONAL LIABILITY INSURANCE. 4) UNDERGROUND ENCROACHMENTS NOT LOCATED. 5) ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929. 6) OWNERSHIP OF FENCES ARE UNKNOWN. 7) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. 8) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK FOR BUILDING AND ZONING INFORMATION.

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BEARINGS WHEN SHOWN ARE REFERRED TO AN ASSUMED VALUE OF [illegible]

PAGE 46 5

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FLOOD ZONE: AE | SUFFIX: L | DATE 9/11/09 | BASE: 9'
PANEL: 0144 | COMMUNITY # 120637
DATE: 8/25/14 | SCALE: 1" = 20' | DWN. BY: F. Blanco | JOB No 14-257

NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL

REVISED:

TOWN OF BAY HARBOR ISLANDS
9665 BAY HARBOR TERRACE
BAY HARBOR ISLANDS, FL 33154
305-993-1786

Receipt Record

Receipt Number: RCPT2015-248

Date Printed: 4/1/2015

Received From: Eric Soulavy
Date: 4/1/2015
Reference #: MB2015-58
Received By: AYANIDYS MARTINEZ
Amount: $3,000.00

Comments: Check #109

Fees:

FEE2015-1041	DRC REVIEW FEE	$3,000.00
		$3,000.00

Accounts:

6	PROCESSING FEES - BLDG	$3,000.00
		$3,000.00

APPLICATION FOR SITE PLAN REVIEW

Legal description of real property in the Town of Bay Harbor Islands, Florida for which site plan approval is requested.

Tract "F" of BAY HARBOR ISLAND, according to the Plat thereof, recorded in Plat Book 46, Page 5, of the Public Records of Miami-Dade County, Florida. Less and Except, that portion conveyed to the Town of Bay Harbor Islands, a Florida municipality by that instrument recorded in the Official Records Book 427, Page 281, of the Public Records of Miami- Dade County, Florida.

Folio # 13-2227-026-(0010, 0020, 0030, 0040, 0050, 0060, 0070, 0080, 0090, 0100, 0110, 0120, 0130, 0140, 0150, 0160, 0170, 0180, 0190, 0200, 0210, 0220, 0230, 0240, 0250, 0260, 0270, 0280, 0290, 0300, 0310, 0320, 0330, 0340, 0350) and 13-2227-020-1200.

Size of described property 1.21 Acres

Project Description New Multifamily Residential Units 26

Owner(s) Name Bay Harbor Continental, Inc.

Mailing Address 1135 103rd Street

City Bay Harbor Islands State FL Zip 33154

Phone Number 305.494.5243 Email skiplez@aol.com

Signature of Owner (Louis Lezama, President)

Name of Applicant (if different from owner) P3 Investments I, LLC

Mailing Address 1101 Brickell Ave., 8th Floor

City Miami State FL Zip 33134

Phone Number 646.515.5101 Email gbutani@p3investments.com

Signature of Applicant

Name of Representative Joel Reed

Mailing Address 1101 Brickell Ave., 8th Floor

CHISHOLM

4/30/15

Chairman and Board of
MiamiDade County Commission
c/o Mr. Guarav Butani
P3 Investments 1 LLC.
1101 Brickell Avenue
South Tower, 8th Floor
Miami, FL 33131

Ref.: Bay Harbor Continental (1958)
1135 103 Street, Bay Harbor Island, FL

Via Email
gbutani@p3investments.com

Dear Mr. Chairman and Honorable Commissioners:

As per Mr. Butani's request, the following is a synopsis of my presentation before the Miami Dade County Historic Preservation Board on April 15, 2015.

I have extensive experience in Historic Preservation as an Architect and Urban Designer.

1. As planning staff of MiamiDade OCED, selected Mr. Ivan Rodriguez and Mr. Robert Carr as Director of Historic Preservation Program and Director of Archaeology accordingly; who established the original MiamiDade County Historic Preservation Program (1980).

2. I led the Miami component of Boston/Miami Team that completed South Beach Art Deco District Historic Preservation Master Plan (1981)/National Progressive Architecture Award for Urban Design (1982).

3. I have architecturally restored and placed over (twenty) buildings in the National Register of Historic Places since 1980.

4. My office was part of the team that completed the Coral Gables Biltmore Hotel/Historic Restoration (1986).

5. My office was honored with a Historic Preservation Award from Dade Heritage Trust for the Cuchiela Residence/Homestead (2004).

RE Chisholm Architects, Inc. ■ 4921 Southwest 74th Court, Miami, Florida 33155 ■ Architecture Planning Interiors
305.661.2070 F. 305.661.6090 ■ info@chisholmarchitects.com ■ AR0007442
ID0003684

CHISHOLM

6. I assisted in the application process and successful designation of the MDC Freedom Tower as a National Historic Landmark (NHL) (2008).

I was recently asked, as a favor, for a personal evaluation and opinion by Mr. Butani regarding the Bay Harbor Continental building whose proposed new project will be designed by Pinifarina Spa/Torino, Italy and Luis Revuelta, Architect/Miami, Florida.

My personal opinion is as follows:

a. The detailing on the building is common and un-original in nature.

b. There are no significant historic architectural or other historical contributions by this example/building.

c. This building is a very late and weak example in the waning years of MiMo and a strong Minimalist resurgence that began in late 1950's and early 1960's, accordingly Bay Harbor by definition and example, it is not strongly original design, if anything, it re-enforces the incoming Minimalist movement in the next decade of the 60's

d. It is one simple product of many similarly produced and by definition, not a rare architectural example.

Sincerely,

RE Chisholm Architects, Inc.

Robert E. Chisholm FAIA, NCARB

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CHISHOLM

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ID0003684

ARQUITECTONICA

May 1, 2015

Board of County Commissioners
Miami-Dade County
111 NW First Street
Miami, Florida 33128

Re: Bay Harbor Continental, 1135 103rd Street
Analysis of Architectural and Historic Significance

To the Board of County Commissioners:

My name is Laurinda Hope Spear. I am a founding principal of Arquitectonica, an international contemporary architecture firm headquartered here in Miami-Dade County. I am a Fellow of the American Institute of Architects, a Registered Landscape Architect, a member of the American Society of Landscape Architects, and LEED Accredited Professional.

Early in my career, I worked under famed architect Morris Lapidus and have authored texts and periodicals on MiMo architecture. I am a supporter of historic preservation in the right context, and was an advocate for the creation of the Art Deco district in the City of Miami Beach in the late 1970s. In the 1980s, I served on the County's Historic Preservation Board.

I visited the Bay Harbor Continental recently in advance of the Historic Preservation Board's April 15th meeting considering the designation of the building as a historic site. Based on my observations of the building, and review of the criteria set forth in Sec. 16A-10 of the County's Code of Ordinances, I am of the opinion that the building is not a significant example of MiMo architecture.

2900 Oak Avenue
Miami . Florida 33133
T 305.372.1812 F 305.372.1175
www.arquitectonica.com
AAC000465

In reviewing the criteria under the Code, I would share the following responses:

(a) Are associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, paleontological and architectural history that have contributed to the pattern of history in the community, Miami-Dade County, south Florida, the State or the nation; or

This building does not meet the above criteria.

(b) Are associated with the lives of persons significant in our past; or

No. Not applicable.

(c) Embody the distinctive characteristics of a type, period, style or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction; or

While a sad story that he passed away at a young age, the architect, Charles McKirihan was actually not a prominent architect in Miami. On the whole, the building's MiMo characteristics are quite superficial and not particularly distinguishable; the building as a structure is a concrete box that was built cheaply and has deteriorated as a result. In my opinion, the only architectural feature that is significant is the concrete block screen shading the walkways.

(e) Have yielded, or are likely to yield information in history or prehistory; or

No.Not applicable.

(f) Are listed in the National Register of Historic Places.

No.Not applicable.

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Lastly there does not appear to have been any landscape plan developed with the original building. The site is covered with asphalt parking viewed from the street and there are few significant trees to speak of.

For these reasons, I do not believe the building is a significant example of MiMo architecture that rises to the level of a historic site which would merit historic designation.

Sincerely,

Laurinda Spear, FAIA, RLA, ASLA, LEED AP

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AAC000465

Brad Rinzler

SENIOR PROJECT MANAGER

Total Years of Experience
30

Education
MS, Civil Engineering, Construction Management, Stanford University, 1983

BS, Business Administration, Management, University of Florida, 1980

Registrations
Certified Project Management Professional, Project Management Institute, #03578, 1994

Certified Hazardous Waste Operations Supervisor, 1993

Certified Building Contractor, Florida, CBCO18767, 1980

Certifications
LEED, A.P.

Training
OSHA 30-Hour

Brad has 30 years of construction industry experience on civil, transportation, industrial, high technology, commercial, institutional, and environmental cleanup projects. Most of his experience involved complex multi-faceted design-build projects involving heavy civil works and unique architectural elements requiring a comprehensive understanding of both technical and functional requirements of the Clients and a strong ability to effectively manage project teams. Brad has a strong ability to access requirements, resolve problems, develop procedures, select and motivate team members. Brad is experienced in development of reporting systems for project management and control, and he is a LEED Accredited Professional and a licensed construction contractor.

PROFESSIONAL EXPERIENCE

MIA Mover APM System | Miami, FL | Miami-Dade Aviation Dept. | $259.4 M

Design-Build of a 1.3-mile elevated Automated People Mover (APM) system which connects the Miami International Airport Terminals (MIA) to the Miami Intermodal Center (MIC) including a 30,000 SF MIA Mover passenger station, integrated maintenance facility and a second station within the MIC. Included the manufacture, installation, testing, and commissioning of vehicles and operating systems. The 1.3-mile elevated Guideway between the MIA and MIC stations carries two light rail tracks approximately 45 FT above grade and supported by 72" AASHTO beams on CIP concrete piers 120 FT apart. The MIA station includes traffic & drop-off area under the station at ground level, an integrated maintenance and repair facility on the 2nd level and passenger platforms on a 3rd level connecting to the MIA Terminals through moving walkways.

As the Technical Director for Construction, was responsible for the coordination of the design effort with construction and the

management of the technical department for design-build automated people mover at Miami International Airport. Responsible for administration of the Prime Contract, negotiation and award of subcontracts, change orders, project and document controls, subcontract administration, Client reporting and coordination.

Lincoln Center for the Performing Arts | New York, NY | Lincoln Center | $350 M

The Project involved the complete renovation of 1,110 seat Alice Tully Hall Theater and the Julliard School at the corner of Broadway and 65th Street in Manhattan. Involved one-of-a-kind architectural finishes and components designed by world renowned architects including a new lobby and building addition cantilevered over a new pedestrian plaza along Broadway, state-of-the art technologies for lighting, acoustics, architectural composites, and theatrical production systems along with deep excavations and waterproofing.

Brad served as Project Director from 2007 to 2008 and was responsible for the project design, construction and revitalization of the north side campus including: Alice Tully Hall, Tully Plaza, Julliard School, the Samuel B. and David Rose Building, the Harmony Atrium and a new retail store. Directed project management, design and construction staff to meet cost, schedule and program objectives, negotiate contracts and change orders, develop and meet budgets and schedules.

Adrienne Arsht Center for the Performing Arts | Miami, FL | Miami-Dade County | $357.5 M

The performing arts complex for Miami consist of the construction of two new buildings, the 2,400-seat Sanford and Dolores Ziff Ballet Opera House with a 200-seat flexible-space Studio Theater, and the 2,200-seat Carnival Concert Hall, and a 57,000 SF Plaza for the Arts and renovation of the Art Deco Sears Tower. The Main Halls are equipped with state-of-the-art sound control systems and sound

isolation and are designed to serve the most complex of theatrical productions.

Brad served as Senior Project Manager from 2003 to 2006 responsible to assist the PAC Joint Venture in the management of both Ballet-Opera House and Symphony Concert Hall. Provided prime contract & subcontract administration, managed staff in the negotiation of change orders with Miami-Dade County, negotiation and administration of subcontracts, coordinated subcontracts with prime contract and A/E design management, assisted in the planning and coordination of field work within schedule and budget constraints.

ADDITIONAL EXPERIENCE

International Fiber Optic Telecommunications Facilities Design-Build Project Director	Europe	$150 M	2001 - 2003
Ghazi Barotha Hydro Project Design Assist/Design Build Contract Manager	Pakistan	$650 M	2000 - 2001
Ertan Hydroelectric Dam Design Assist/Design Build Contract Manager	China	$1.5 B	1996 - 2000
Three Elementary Schools Design Build Project Director	Florida	$28 M	1995 - 1996
Lockheed Corporation Industrial Construction & Environmental Cleanup Design Build Project Manager	California	$50 M	1993 - 1995
GSA / USPS Facilities White House, State Department, DOJ and Pentagon Design Build Project Director	Washington, DC	$75 M	1989 - 1992

JOEL REED, AICP
Owner RC3WORLD
Education: Masters of Arts, Urban Planning and Policy, University of Illinois, 2003 |Bachelors of Arts Anthropology, University of Illinois, 2002 | Bachelors of Science, Environmental Science, Wheaton College, 1996
Registration: AICP (American Institute of Certified Planners) |Urban Land Institute Technical Assistance Program

Joel is an urban design, planner and developer with 13 years of experience. Joel is currently partnering with developers on several multifamily residential projects in South Florida ranging from Institutional Senior affordable units to high end luxury condo buildings in Miami and the Florida Keys. He brings considerable knowledge and understanding of the development process given his history as a municipal planner, designer and development consultant in the private sector. Development lead by Joel benefit from his public sector knowledge in review and enforcement and his private sector work as a designer and applicant. Relevant Project Experience:

Master Plans and Design Work

- **Comprehensive Plan*, Peachtree Corners, GA:** Joel as Project Manager lead the City's first Comprehensive Plan. The plan will address the fundamental question **"What do we really want our city to become?"** This question has no single, simple solution, but many complex answers, each shaped by a variety of elements evolving over time. As a new city, Peachtree Corners has the unique privilege of being able to define its vision for the first time. The 2033 Comprehensive Plan will set the stage for development, growth, and investment in the City.
- **Comprehensive Plan*, East Point, GA:** Joel led the City of East Point Comprehensive Plan. The project included community workshops and meetings, a Community Assessment document with baseline data and the preparation of a strategic plan based on Character Areas. The Future Development Map and policy requirements for the city character areas will specify the form, use, design and transportation elements that future development must meet. The Comprehensive Plan along with Pond recommendations will situate the city to amend current zoning and development regulations to implement the PLAN 2036 vision.
- **Planning Staff & GIS Services*, City of Peachtree Corners, GA:** With Joel as Project Manager, Pond provides senior level planning services, managing zoning and development application issues for the new city and coordinating development and permitting activity processed by Gwinnett County. Pond drafted the new public hearing process and aids the city in establishing its Planning Commission and ZBA through training, by-laws and establishment of review systems. Pond also provides GIS services, plan review assessments and land use recommendations, along with planning and training sessions for elected officials.
- **"Old Town" Redevelopment Plan*, Flowery Branch, GA:** Joel is the project manger and lead urban designer for the Pond team focused revitalization of the downtown through integration of land use, mobility and public spaces to create a vibrant, authentic place while analyzing tradeoffs and opportunities of development on City owned and controlled parcels. The plan will include an implementation plan over the next five years of steps the City can take.
- **Avondale Estates Town Center* ARC Livable Centers Initiative (LCI) 10 Year Update, Avondale Estates, GA:** Joel is serving as project manager for this master plan focused on land use, transportation and economic development. The plan will focus on the challenges that route 278 creates as a barrier between residential neighborhoods and downtown, connections to community assets such as the MARTA station, DeKalb County farmers market, the PATH and will explore opportunities for enhancing retail, restaurants and the arts district.
- **Woodstock Town Center* ARC Livable Centers Initiative (LCI) 10 Year Update, Woodstock, GA:** Joel is the project manager for the creation of land use, transportation, economic development and retail strategies for the 10 year update to the City's Town Center Plan. Joel conducted analysis and site programming that relied on mixed-use developer advising and real estate data for best and highest use within the city historic downtown and neighborhoods leading to a major highway corridor. The process included extensive community involvement, coordination with stakeholders and design consultants, and culminates in a 5-year implementation action plan for providing residential, commercial redevelopment and mobility projects for the historic downtown.
- **Norcross Town Center* ARC Livable Centers Initiative (LCI) Master Plan, Norcross, GA:** Joel served as project manager for a land use, transportation and economic development plan focused on strengthening the City's ability to attract residents and businesses while enhancing community amenities and open space. The final product is based on market realities and includes a 5-year action plan for promoting housing options, improving connections, increasing economic viability and facilitating coordination among key partners.
- **Planning Staff & GIS Services*, City of Chamblee, GA:** Joel served as the Interim Director for the City; providing management, leadership and senior level planning services. Tasks include: managing zoning and development application issues for the new city; leading a Design Review Board; presenting to council recommendations on development applications and planning projects throughout the City; managing grant funded transportation projects and consultants; coordination with state, and local agencies; and management of staff.

- **On-Call Services, Planning & GIS*, City of Chamblee, GA:** As current City Engineer and Planner, Pond's responsibilities include development plan review and design services for Chamblee. Joel is currently serving the City with On-Site Planning services. Pond previously provided Interim Development Director staffing service at City Hall and established internal procedures, tracking and applicant work flow from concept through construction. Pond provided design and landscape architecture on numerous streetscapes, minor roadway improvements, and traffic studies. Also, Pond has conducted ordinance revisions, field inspections, reports for drainage issues, and capital improvements programming. Pond authored development regulations related to stormwater management. Pond assisted the City in a recent major annexation, providing mapping and zoning and recommended corrections to zoning conversions.
- **Consolidated Housing Plan*, Griffin, GA:** As the project manager Joel is leading the efforts to survey, assess, analyze and map the housing needs in the community; collaborate, educate and build consensus with community service groups and members and is working to establish, for implementation, innovative programs to meet the community housing needs in the most effective and equitable manner.
- **On-Call Services, Planning & Engineering*, City of Clarkston, GA:** Pond served as an extension to the City of Clarkston's staff providing planning services, including: pre-application conferences, GIS support, development plan reviews, and zoning compliance reviews. Pond also provided on-call consultant and program management services for the city's capital projects and programming and TE application support for future city projects. Services included development of land use and zoning ordinance including policies and programs. Pond prepared a comprehensive set of application forms, flowcharts, instructions, checklists and review procedures. Pond drafted an economical, form-based "hybrid" zoning ordinance for the city, and assisted in the development of the Short-term Work Program. Joel served and supervised zoning and design review for the City in addition to recommending and making amendments to the ordinance and development regulations.

PRIVATE SECTOR DEVELOPMENT SERVICES

Joel Reed has been providing developers services for the past 13 years ranging from consulting, to lead designer, to partnering on the development projects. Currently he is the part of the development team, as development director, for two high end residential condo projects in Miami and the Florida Keys as well as developing a 42 unit senior housing project in Key Largo with a development company out of Michigan.

Bay Harbor Continental - Joel is part of the development team leading the redevelopment of a 28 unit (125,00 sf sellable) high end luxury condominium project in Bay Harbor, Florida. Joel's role as Development Director of the project involves: entering into contracts with designers, engineers, and consultants, attorneys; Managing subcontractors and contracts including leading design meetings to establish the product; coordination for plan approval with the Town and State regulating agencies for entitlements including project representation at public meetings; establishing and controlling budgets and timelines; and interfacing with the investors.

Legacy at Ocean Reef - Joel is part of the development team leading the redevelopment of a 30 unit (100,00 sf sellable) high end luxury condominium project in Ocean Reef Club, Key Largo Florida. Joel's role as Development Director of the project involves: entering into contracts with designers, engineers, and consultants, attorneys; Managing subcontractors and contracts including leading design meetings to establish the product; coordination for plan approval with the Town and State regulating agencies for entitlements including project representation at public meetings; establishing and controlling budgets and timelines; and interfacing with the investors.

Paradise Point Senior Housing - RC3World Inc. partnered with Gorman and Company on the development of 42 Senior Affordable Housing units in Key Largo, FL. Joel has led and entitled the project including coordination and management of the design process and handled interface with the community and Monroe County for approval of the project. Joel has worked with Gorman in seeking additional County funding for the project along with leading the execution of the project and contract negotiations with the sellers.

Atlanta projects: Concept Planning, Design layout and Feasibility Analysis of potential development sites to include: Master planning a new 20 acre town center for a newly established municipality; Designing a new 40 acre mixed use community neighborhood inclusive of public parks, neighborhood retail and residential uses; and work on a redevelopment plan within a mixed use district in Atlanta where the developer controls the majority of the parcels. As the lead urban designer and project manager Joel coordinates and incorporates inputs from Architects, Engineers, Landscape Architects and Transportation Planners into the plan.

Keys Lake Villas, Key Largo, FL - Joel served as the development consultant analyzing project feasibility, entitlements , pro formas and then working with designers to master plan and then project manage the master planned infill, HUD backed financed development of 110 affordable housing units in Key Largo. The project required Major Conditional Use Permitting a Development Agreement with Monroe County Transferable Development Rights (TDRs), and Rate of Growth Ordinance (ROGO) allocations. In addition the project required compliance with HUD Form 4128, Federal Emergency Management Area (FEMA) Coastal Barrier Resource System (CBRS), Army Corps of

Engineers (ACOE), Department of Environmental Protection (DEP), Fish and Wildlife Service (FWS), Fish and Wildlife Conservation (FWC), South Florida Water Management District (SFWMD) along with local utility providers. Joel also crafted the first ever Affordable Housing Mitigation Certificates in compliance with the Land Development Regulations.

Largo 103, Key Largo, FL: Joel served as the development consultant and master planner for a 13 unit "off grid" infill housing project in Key Largo, FL. Joel amended both zoning and future land use maps for the project in order to be consistent with the County Comprehensive Plan and Community Master Plans. Joel created a master plan juxtaposed with zoning and land development regulations in order to ensure compliance and success of the project.

Blue Water Development, Tavernier FL: Joel served as the developers planning and land use consultant on this 36 unit DPZ design Low Income Housing Tax Credit (LIHTC) project. Joel coordinated sub consultants including Architecture, Engineering and Traffic Analysis, facilitated public input on the project, and received entitlements for the project including site plan approval as well as federal, state and local permitting.

Wet Net Villas, Islamorada FL: Joel served as the developers planning and land use consultant on this 36 unit Low Income Housing Tax Credit (LIHTC) project. Joel coordinated sub consultants including Architecture, Engineering and Traffic Analysis, facilitated public input on the project, and received entitlements for the project including site plan approval as well as federal, state and local permitting.

Ocean Reef Club, Key Largo, FL: Joel identified and ushered in the adoption of ten land use zoning changes as well as five corresponding future land use map amendments to correct a number of parcels that had non conforming zoning and future land use maps that did not correspond to historical and present uses.

Community Involvement/ Other Affiliations

- Commissioner (2010-Present), **Atlanta Tree Conservation Commission**, Atlanta, GA
- Vice Chair (2009-2010), **Green Initiative Task Force**, Monroe County, FL
- President (2008-2009)/Board Member (2007-2008), **Habitat for Humanity of the Upper Keys Key Largo, FL**
- **American Institute of Certified Planners** (AICP, 023192)
- **American Planning Association** (APA)
- **APA Georgia Chapter** (APA GA)
- **Congress for the New Urbanism** (CNU)

Laurinda Hope Spear, FAIA, RLA, ASLA, LEED AP, IIDA

http://arquitectonica.com/



Laurinda Spear is a founding principal of Arquitectonica, an international architecture, interior design and urban planning firm that began as an experimental design studio in 1977 in Miami. The studio has evolved into a worldwide practice, combining a creative spirit with the efficient delivery and reliability of a major architectural firm, with 10 offices around the world, and projects in 56 countries. In 2005, Ms. Spear established the landscape architecture firm, ArquitectonicaGEO, to design contemporary, technologically informed landscapes to meet the challenges of our changing environment. The firm is committed to creating aesthetic, functional and sustainable design solutions.

Ms. Spear designed many of Arquitectonica's signature projects, with over five hundred design awards earned. She was instrumental in the expansion of Arquitectonica into design fields beyond architecture and planning, including the establishment of the interior design practice, ArquitectonicaInteriors. She, along with husband, Bernardo Fort-Brescia, was inducted into the Interior Design Hall of Fame. She also created the products group, Laurinda Spear Products, which has over 150 products on the market under dozens of global brands. The landscape architecture practice, ArquitectonicaGEO, now in its 10th year, is garnering multiple awards and articles at the state, national and international levels. Combined, the firm's work has been featured in over three thousand domestic and international publications, and has been the subject of numerous museum exhibitions in Europe, Asia and the Americas, including a feature exhibition in the American Pavilion of the 2014 Venice Biennale.

Ms. Spear is a Fellow of the American Institute of Architects, a recipient of the AIA Miami Silver Medal, and a recipient of the Rome Prize in Architecture. She is a Registered Architect in Florida, New York, New Jersey, and Massachusetts, a Registered Landscape Architect in Florida and New York, and a LEED Accredited Professional. She is a member of the American Society of Landscape Architects and the International Interior Design Association.

Ms. Spear currently serves in the Design Excellence Peer Review program for the US General Services Administration (GSA), and as a Board Member of the Auschwitz Institute for Peace and Reconciliation (AIPR). She has served as Chair or Juror in several award programs for the National American Institute of Architects. She is active in many community affairs, and is an Emeritus member of the Board of Trustees of the Corporation of Brown University, a member of the Council of Fellows of the National Tropical Botanical Garden, and Trustee Emeritus of Ransom Everglades School.

Ms. Spear holds a Bachelor of Arts in Fine Arts from Brown University, received a Master of Architecture degree from Columbia University, attended the Master of City Planning program at MIT, and later earned a Master of Landscape Architecture from Florida International University. She currently is a Visiting Scholar at the Harvard Graduate School of Design. Ms. Spear is a practicing professor at Harvard University, the University of Miami, Florida International University, and the University of Hawaii at Manoa. She was a featured speaker at the Columbia Graduate School of Architecture, Planning and Preservation; the Museum of Contemporary Art Chicago; and the 2013 AIA National Convention in Denver. She enjoys sharing her broad design experiences through teaching, lecturing and service to the profession.

As a founding principal of ArquitectonicaGEO, Ms. Spear has been active in the firm since its inception. In this capacity, she has participated in the design of projects undertaken by the firm.

Many of Ms. Spear's projects have been featured in numerous books as well as prominent magazines and professional journals such as Time, Newsweek, Business Week, Esquire, Life, Vogue, Vanity Fair, Architecture, Architectural Digest, Architectural Record, Art in America, Blueprint, Casas, Domus, GA Document, Global Architecture, Häuser, Progressive Architecture and World Architecture. Ms. Spear's designs has won many design awards.

Ms. Spear is involved in numerous community initiatives and is interested in the education of others in design excellence. Ms. Spear has lectured around the world and her work has been exhibited in numerous prominent museums.

Master of Landscape Architecture, Florida International University, 2006
Master of Architecture, Columbia University, 1975
Bachelor of Fine Arts, Brown University, 1972

American Institute of Architects College of Fellows (FAIA)
Registered Landscape Architect (State of Florida)
American Society of Landscape Architects (ASLA)
National American Institute of Architects, 2006 Jury Chair, Committee of Fellows and Honorary Fellows
National American Institute of Architects, 2005 Jury Member, Committee of Fellows and Honorary Fellows
Academician (NA) of the National Academy
Interior Design Magazine Hall of Fame
International Interior Design Association (IIDA)
Visiting Professor Harvard University, 1994
Visiting Professor University of Miami, 1975-1977, 1993-1994, 2003
Practicum Associate Professor University of Hawai'i at Manoa, 2004
Studio Professior, Florida International University, Spring 2005

National Academician (NA), 2002
Ivadori Center Founder's Award, 2000
Interior Design Magazine Hall of Fame, 1999
AIA Miami Silver Medal Award for Design Excellence, 1998
Media Star, International Interior Design Association (IIDA), 1998
Fellow, American Institute of Architects, 1992
Rome Prize in Architecture, 1978

Lowe Art Museum, Sustaining Member of Beaux Arts Support Group, Miami, Florida
Peer Reviewer for GSA Selection Panel, Washington, DC, 1994 - Present
Architects for Humanity 200 Temporary Homes to Grenada, 2005
The Corporation of Brown University, member of Board of Trustees
Junior League, Associate Member, Miami, Florida
Young Patronesses of the Opera, Associate Member, Miami, Florida
International Women's Forum, Florida Chapter
Women in Architecture Slide Library, Donor, Randolph Center, VT
Advancing Women in Leadership, Advisory Editorial Board, Miami, FL
Florida A & M University Industry Cluster
Florida International University, Architectural Advisory Board
National Tropical Botanical Garden, Board Member, 2003-Present
Harvard Design Magazine Editorial Board
Auschwitz Institute for Peace and Reconciliation, Board of Directors

Regatta Park, Miami, Florida
Perez Art Museum Miami, Miami, Florida
Frost Science Musuem, Miami, Florida
Museum Drive, Miami, Florida
Icon Bay Park, Miami, Florida
Oceana Key Biscayne, Key Biscayne, Florida
La Jolla, Asia, Peru
Paraiso Bay Park, Miami, Florida
Chateau Ocean Residences Landscape Design, Surfside, Florida
Biscayne Line Waterfront Promenade,Miami, Florida
Waterline Park, Miami, Florida
University of Miami Master Plan and Various Waterfront Projects
Coral Gables, Florida
Miami Waterfront Redevelopment, Miami, Florida
Habitat 2, Miami, Florida
Wildlife Conservation Center, North Miami, Florida
University of Miami Life Science Park, Miami, Florida
Port Miami Tunnel, Miami, Florida
Science City at Indian Trail, Couva / Trinidad Science Museum, St. Augustine, Trinidad and Tobago
United Nations Peacekeeper Memorial to the Fallen, New York, New York
Hudson Square Design Charrette, New York, New York
West Midtown Manhattan / Hudson Yards
Waterfront Redevelopment Plan, New York, New York
Queens West Waterfront Master Plan, New York, New York
SM City North Edsa Sky Garden Park, Manila, Philippines
Ashgabat Polytechnic Institute, Ashgabat, Turkmenistan
Al Manhal Mixed-Use Development Master Plan, Abu Dhabi, UAE
Al Mashtal Municipality Strip Master Plan, Abu Dubai, UAE
Karnak Resort, Sharm el Sheikh, Egypt

Bronx Museum of the Arts Expansion and Renovation, New York, New York
Swainsboro / Emanuel County Technology Park Master Plan, Swainsboro, Georgia
Miami City Ballet, Miami Beach, Florida
Miami Children's Museum, Miami, Florida
South Miami-Dade Cultural Center, Miami, Florida
International Swimming Hall of Fame Museum & Exhibition Hall, Fort Lauderdale, Florida
Firefighters Museum, Miami, Florida
Ransom Everglades Middle School Master Plan and Braman Family Media Center, Coconut Grove, Florida
Ballet Valet Parking Garage and Retail Center, Miami Beach, Florida
Discovery Science Museum, Santa Ana, California
Gallery MA Art Museum, Tokyo, Japan
Coin Museum at Banco de Credito Headquarters, Lima, Peru
Museo de Arte Italiano, Lima, Peru
Reckinger Art Gallery at Banque de Luxembourg Headquarters, Luxembourg
Taikoo Hui Cultural Center and Library, Guangzhou, PRC
Cyberport, CyberLibrary and Digital Media Center, Hong Kong, PRC
NASA Columbia Memorial Space Science Center, Santa Ana, California
East Los Angeles College Performing & Fine Arts Center, Art Museum & Studios, Los Angeles, California
Amir Art Gallery, Beverly Hills, California
Irvine Valley College Performing Arts Center, Irvine, California
Jackson Convention Center, Jackson, Mississippi
Mississippi Telecommunications/Conference Center, Jackson, Mississippi
Plymouth Congregational Church Master Plan, Miami, Florida
American Bank Center Bayfront Arena & Convention Center Expansion, Corpus Christi, Texas
Dijon Performing Arts Center and Bourrgogne Convention & Exposition Center, Dijon, France
Barry University Fine Arts School Master Plan, Miami, Florida
Brooklyn Academy of Music Set Design, New York, New York
Corpus Christi Children's Museum Concept Design, Corpus Christi, Texas
Foster City Downtown Central Library and Civic Center, Foster City, California
Savannah College of Art & Design (SCAD) - Atlanta Campus, Atlanta, Georgia
Enelda Hartner School and Library, Miami, Florida
Santa Clara School and Library, Miami, Florida
Florida International University School of International and Public Affairs
High School for Construction Trades, Engineering and Architecture, New York, New York
South Region High School #7 and Library, Los Angeles, California
Central Los Angeles Middle School # 3 and Library, Los Angeles, California
Manual Arts Media Academy and Library, Los Angeles, California
Manual Arts High School Computer Laboratory, Los Angeles, California
University of Southern Mississippi Marine Education Center and Aquarium, Biloxi, Mississippi
Choctaw Cultural Center, Choctaw, Mississippi
Lincoln Center Theater Renovation, New York, New York
Aventura Civic Center, Aventura, Florida
University of Miami Student Activities Center, Coral Gables, Florida
The Learning Experience School, Miami, Florida
The EF International Language School, Miami Beach, Florida
Rancho Santiago Community College District - Digital Media Incubator Office & Film Studio, Orange County, California
Children's Home Society's Phoebe Morse Children's Center, Miami, Florida
Caribbean Studios, San Juan, Puerto Rico
MECA Multimedia Center, Miami, Florida
Central Los Angeles Middle School # 3, Los Angeles, California
John W. Mack Elementary School, Los Angeles, California
Belmont Elementary School, Los Angeles, California
Drew School, San Francisco, California
Enelda Hartner Elementary School, Miami, Florida
St. John's University Belson Soccer Stadium, New York, New York
St. John's University Multi-purpose Activity Center, New York, New York
St. John's University Softball Field, New York, New York
Long Island University Wellness Recreation and Athletic Center, Brooklyn, New York
North Carolina State University Soccer Stadium, Raleigh, North Carolina
University of North Carolina Fetzer Field Renovation, Chapel Hill, North Carolina
Georgia Tech Grant Field Modification, Atlanta, Georgia
Morris Brown University Stadium Renovation, Atlanta, Georgia
Boston University Nickerson Field Renovation, Boston, Massachusetts
Appalachian State University Football Stadium Renovation, Boone, North Carolina
Coney Island Urban Design Services, Brooklyn, New York
Wynwood District Redevelopment Master Plan, Miami, Florida
Aquarium and EcoCenter, San Juan, Puerto Rico
Beijing Aviation Science and Technology Park, Beijing, China
Biscayne Landing Town Center, North Miami, Florida
Wilkie D. Ferguson U.S. Federal Courthouse, Miami, Florida
Eastridge Retirement Village, Miami, Florida
North Dade High School, North Miami, Florida
Arquitectonica Design Studios, Coconut Grove, Florida
300 Spear Street Residential Development, San Francisco, California
Four Seasons Resort, Dubai, United Arab Emirates
Bouygues Telecom Headquarters, Paris, France
Banque de Luxembourg Headquarters, Luxembourg
Banco de Credito Headquarters, Lima, Peru
FFSS Railyards, Milan, Italy
City of Dreams Concept Design, Macau, PRC
The Gate / Shams Abu Dhabi Towers 1 and 2, Abu Dhabi, United Arab Emirates
300 East 57th Street Apartments, New York, New York
La Punta, Callao, Peru
Pegaso Corporate Park, Madrid, Spain
Sunny Isles Solis Resort Spa & Residences, Sunny Isles, Florida
Egypt Luxury Resort Master Plan and Concept Design, Alexandria, Egypt
McAllen Port of Entry Concept Design, McAllen, Texas
Puerto Triana Mixed Use Concept Design, Seville, Spain
Hotel Urubamba Master Plan, Lima, Peru
The Atlantis Condominium, Miami, Florida
United States Embassy, Lima, Peru
North Dade Justice Center, Miami, Florida
Aventura Government Center, Aventura, Florida
The Center for Innovative Technology, Herndon, Virginia
Festival Walk, Hong Kong, PRC
American Airlines Arena and Urban District Plan, Miami, Florida
Philips Arena and CNN Center Expansion, Atlanta, Georgia

BECKER & POLIAKOFF

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1 East Broward Blvd., Suite 1800
Ft. Lauderdale, Florida 33301

April 28, 2014

VIA E-MAIL: gbutani@p3investments.com

P3 Investments I, LLC
1101 Brickell Avenue, 8th Floor
Miami, FL 33131
Attn: Gaurav Butani

-and-

VIA E-MAIL: richard.bezold@akerman.com

Richard M. Bezold, Esq.
Akerman LLP
One S.E. Third Avenue, 27th Floor
Miami, FL 33131-1714

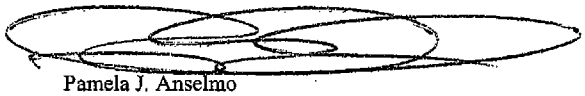
Re: Commercial Contract by and between P3 Investments I, LLC ("Purchaser") and Bay Harbor Continental Inc. ("Seller"), for the sale and purchase of 1135 103rd Street, Bay Harbor Islands, Florida 33154 (the "Property") having an Effective Date of March 27th, 2014, as amended (the "Agreement")
Client/Matter No. B13965.358006

Dear Gentlemen:

This letter is intended to serve as written notice, pursuant to the Agreement, that Seller has obtained the required Approvals (as that term is defined in the Agreement). As of the date of this letter, 27 of the 35 certificate holders have responded to the written request for approval and consent to, and joinder in, the sale of the Property in accordance with the Agreement. The written approvals received from 27 of the certificate holders represents more than 75% of all certificate holders, therefore satisfying the approval requirements of the Seller's governing documents. Attached to this letter is a copy of the 27 written consents obtained by the Seller, which consents also identify which certificate owners "does" or "does not" have an interest in discussing post-closing lease arrangements with the Purchaser.

If you need any further information, please let me know.

Sincerely,



Pamela J. Anselmo

cc: Client
David Rogel, Esq.

Bay Harbor Continental
Designation Appeal

Akerman



akerman.com

Audio Files of the Miami Dade County Historic
Preservation Meetings from:
February 18, 2015, March 18, 2015,
and April 15, 2015

NICOLE A. MILSON, ESQ.
Attorney at Law
786.301.4194
nicole@milsonlaw.com

June 12, 2015

Board of County Commissioners
of Miami-Dade County
Stephen P. Clark Government Center
111 NE First Street, Suite 17-202
Miami, FL 33025

RECEIVED
JUN 12 2015
MIAMI-DADE COUNTY
OFFICE OF HISTORIC PRESERVATION

Dear Board of County Commissioners:

I have been retained, on behalf of several residents of Bay Harbor Islands, FL and of the Bay Harbor Continental, to speak against the appeal of the rightful designation of the Bay Harbor Continental building as a historic site.

The appeal, which was filed by attorneys who represent the potential buyer of the property (the development company P3 Investments I, LLC), makes several unfounded and inaccurate arguments to support their position of repealing the historic designation of the Bay Harbor Continental. The arguments largely revolve around false assertions that a majority of the shareholders of the cooperative of the Bay Harbor Continental oppose the historic designation as they believe it would cause economic hardship. However, no evidence is presented, other than anecdote, to demonstrate the veracity of these assertions, and many of the shareholders fully support the designation. The designation also has significant support within the community as P3 Investments I, LLC has been clear that its only intention with the building is to immediately destroy it.

The appeal also falsely asserts that economic hardship would be imposed on the building in the form of fabricated unnecessary repairs which would allegedly total in excess of $8 million dollars, a grossly exaggerated sum for a building of its size. However all the reports procured to support this position are based on a largely illegible single estimate by a contractor admittedly unfamiliar with the property. Oppositely, and quite significantly, the building has *just this year* passed its 40-year mandatory inspection as conducted by a licensed engineer and is completely sound structurally and electrically. The building has been properly maintained and managed throughout the years, and is also financially sound. Historical designation would therefore *relieve* any economic hardship as the accompanying federal, state and local waivers would allow the building to remain entirely in its present condition. The property is presently being operated at its best and highest use which is, in fact, as a condominium or cooperative. Individual owners are free to sell their interest as is at any time, as they were also free to do before the designation, and the collective owners are free to enhance the property without destroying the historic attributes. Assertions that the buyer, P3 Investments I, LLC will not be able to use the property as it initially wished if it proceeds with the purchase are not the type of economic hardship that are relevant to this matter.

The appeal further presents irrelevant speculation that the appellants were disliked by the Miami-Dade County Historic Preservation Board and other county employees simply because their

arguments were not viewed favorably and the designation was allowed against their wishes. To the contrary, the appellants were provided an excess of time to make their points and present witnesses at all junctures. The appeal states that the town of Bay Harbor Islands was likewise opposed to the designation, however such an argument bears no weight as it has been repeatedly demonstrated and it is widely known that the town has no intention of preserving any of the history in its locale and instead has favored and fully supported the wishes of developers. To have halted the designation simply because an owner, buyer or the town opposed it would actually have been a violation of the code itself, as such a consideration is explicitly prohibited, and this issue has already been decided by the Commissioners accordingly.

Additionally, the appeal incorrectly asserts that shareholders of the cooperative of Bay Harbor Continental are not owners of their units and should have been ruled ineligible to fi e a petition for the historic designation. Appellants have proffered this argument while fully aware of multiple statutes and ordinances that state the contrary, that shareholders of a residential cooperative are considered owners of the property. Meanwhile, the appeal has gone to lengths to assert the concerns and positions of P3 Investments I, LLC who is neither an owner, shareholder nor resident of the building whatsoever.

Lastly, the appeal attempts to assert that the Bay Harbor Continental does not have enough historical significance to have warranted a designation as a historic site, despite the excess of national, statewide, and citywide recognition the building has garnered as a historic example of MiMo architecture. The building, which was designed by architect Charles McKirahan, has been deemed by the National Trust for Historic Preservation as a significant piece of America's unique architectural history. Likewise, the building has been widely featured in many journalistic reports on historic preservation including the prominent media outlets of CNN, The Miami Herald, the New York Times, and Tropics Magazine. The building was considered in the 2006 Historical Structure Survey performed of Bay Harbor Islands, and was fully evaluated in the county's 2010 designation report. The designation was not done prior to now due to immense pressure by the town of Bay Harbor Islands against the work of the Historical Preservation Board. It has therefore been widely known for almost 10 years that the Bay Harbor Continental is considered a historic building by numerous notable sources, and the appellants have no valid basis for claiming surprise where their goal was simply to beat the odds and have the building demolished before any designation finally came to fruition.

The appeal against the designation of the Bay Harbor Continental has in its entirety failed to proffer a valid basis to overturn the knowledgeable and informed decision made by the Historic Preservation Board. A summary of the evidence against the arguments in the appeal, in the order they were presented in the appeal, is as follows:

1. The appellants' statements regarding the number of shareholders supporting the appeal is inaccurate. Today there are 13 out 35 unit owners in favor of designation that want retain their current standard of living as the majority of those in favor of designation are full time residents. Further, over 70% of the owners supporting the appeal are not full time residents of the building but rather have homesteads outside of the state.

2. This Commission unanimously voted against requiring owner consent as it would halt any future preservation efforts, and would be against the current code. The arguments regarding the consent of the owners or other parties are therefore moot.

3. The petitioners of the designation were all shareholders of the Bay Harbor Continental cooperative, and were all therefore owners eligible to set forth such a petition. See County HP

ordinance 16.4 (14) – Owner of the property. The 3 petitioners for nomination for designation are listed as current tax payers on 1150 103rd Street as reflected in the current Metropolitan Miami-Dade County tax rolls, in keeping with the ordinance's determination of ownership. Further, under the Florida Cooperative Act, a person who holds shares in the cooperative and a lease for their unit is considered an owner, Fla. Stat. 719.103(26).

4. The County properly followed all ordinances related to historic preservation. The Board and Chairperson exhibited professional and unbiased demeanor at the April 2015 hearing, and followed all rules for a quasi-judicial meeting. The appellants were provided over 2 hours at the Board meeting to present their case, and the Board ultimately voted 6-1 overwhelmingly in favor of designation.

5. Contrary to appellants' assertions regarding zoning in Bay Harbor Islands, the property is currently zoned for multifamily residential. The property is therefore already currently being used at its highest and best use for development. The buyers themselves intend to use it for the same purpose after demolishing the current historic Bay Harbor Continental structure.

6. The appellants' arguments for economic hardship of the shareholders is all based on the estimated cost for deferred maintenance and estimate cost for renovation from one General Contractor, ERF Construction Group. Their analysis was based on one site visit, unfounded assumptions, and anecdotal opinions of 4 shareholders, and did not involve a thorough inspection or any necessary testing to provide such an estimate. The report made no references to the maintenance and upkeep that is routinely and consistently performed on the building including restoration work performed in the last 3 years. The recertification inspection as approved by an engineering firm in May 2015, demonstrates that the building is to code for life safety, electrical, and structural elements, including the elevator and the seawall. All future regular maintenance of the building has already been calculated in accordance with the Cooperative Act and will not have any significant financial impact on the shareholders in the next 10 years.

7. Appellant did not present the true facts about historically designated buildings and building codes. The designation does not require renovations, nor does it require bringing the building up to code. The local, state and federal codes allows for variances and waiver for historic designation such as relief from the FEMA 50% rule for construction, and ADA compliance. The County HP staff presented overwhelming evidence the historic properties do increase in value and provide a benefit to owners.

8. The appellants' claims that they were unaware of the pending nature of the historic designation are frivolous in consideration that the County's original 2010 designation report is 5 years old and publicly available. The designation report clearly states that the building meets all the requirements of a historic site. Withdrawal of the designation was only made at that time because of threats and obstacles made by the Bay Harbor Islands town council towards the Historical Preservation program.

9. The HBP gave overwhelming evidence of the significant of the building, including the staff designation report and presentation. Their presentation included a letter from the National Trust of Historic preservation, which state Charles McKirahan is a prominent MiMo architect and the significance of the Bay Harbor Continental to Bay Harbor Islands, which they refer to as the nation's foremost collection of modernist architecture, as well as contributing to Miami Midcentury MiMo era. Additional evidence of historical significance was presented by local preservationists and architectural historians Teri D'Amico and Nina Korman, authors of the book

Bay Harbor Island MiMo, architecture of a Mid-Century town, published in 2009, which actually features the Bay Harbor Continental. Copies of this book were provided at the December 2014 Commission meeting. D'Amico, a Bay Harbor resident, coined the term MiMo, and Korman, is the author of the cover story for the May 2015 issue of Tropics Magazine that features the work of Charles Mckirahan the architect for the Bay Harbor Continental.

In conclusion, no evidence has been presented that this appeal should be granted. While the pending sale of the building should have no bearing on the historic designation, the appeal relies heavily on misstating the impact of the sale on the owners at Bay Harbor Continental. P3 Investments I, LLC has indicated that it will abandon the purchase of the building if the designation is allowed to stand, and has caused a significant amount of duress to several shareholders due to their fabricated claims of expenses associate with the designation. The owners that are in favor of designation believe that the owners who are against designation have only taken such a position because they are in favor of sale of the building to P3 Investments I, LLC due to further misinformation that they will receive greater than market value for their units in the sale, as opposed to selling their unit themselves. However, after the taxes to be paid by the cooperative of Bay Harbor Continental, the amount received per unit would only amount to approximately $240,000 for a one-bedroom waterfront unit with some of the most exceptional views in Miami, significantly below current market value. Owners at the Bay Harbor Continental could not replace their units with properties of the same value if the sale to the developer proceeded, and in turn, there will actually be significant hardship to all of the owners if the historic designation of Bay Harbor Continental is repealed solely for the purpose of encouraging the sale of the building to P3 Investments I, LLC. The designation should therefore be allowed to stand as it was properly made in consideration of all of the relevant and important factors.

Sincerely,
Nicole A. Milson, Esq.

Enclosures
cc: Honorable Mayor Carlos J. Gimenez
Board of County Commissioners, Miami-Dade County
Kathleen Kauffman, Historic Preservation Officer, Miami-Dade County
Neisen O. Kasdin, Esq., Akerman LLP
Steven Wernick, Esq., Akerman LLP

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Exhibit A

Exhibit A

Exhibit A

(11) *Individual site:* An archeological site, a paleontological site, building, structure, place or other improvement that has been designated as an individual site pursuant to this chapter. Under the provisions of this chapter interior spaces may be regulated only where a building or structure is a designated individual site and where its interiors are specifically designated.

(12) *National Register of Historic Places:* A federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended.

(13) *Ordinary repairs or maintenance:* Work done to prevent deterioration of a building or structure or decay of or damage to a building or structure or any part thereof by restoring the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.

(14) *Owner of a designated property:* As reflected on the current Metropolitan Miami-Dade County tax rolls or current title holder.

(15) *Undue economic hardship:* Failure to issue a certificate would place an onerous and excessive financial burden upon the owner that would amount to the taking of the owner's property without just compensation.

(16) *Landscape feature:* Any improvement or vegetation including, but not limited to outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture and exterior lighting.

(Ord. No. 81-13, § 4, 2-17-81; Ord. No. 82-99, § 1, 10-19-82; Ord. No. 03-38, § 5, 3-11-03)

Sec. 16A-5. Historic Preservation Board—Created and established.

There is hereby created an Historic Preservation Board, ("the Board"), as a governmental agency of the County government in and for Miami-Dade County, Florida. The Board is hereby vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archeological, paleontological and architectural resources in Miami-Dade County, Florida, as prescribed by this chapter under the direct jurisdiction and legislative control of the Board of County Commissioners.

(Ord. No. 81-13, § 5, 2-17-81; Ord. No. 03-38, § 6, 3-11-03)

Cross reference— Standards for creation and review of boards, commissions, etc., §§ 2-11.36—2-11.40.

Sec. 16A-6. Same—Members.

The Board shall consist of thirteen (13) members appointed by the Board of County Commissioners. The Board of County Commissioners should attempt to appoint architects, realtors, archeologists, historians, art historians, lawyers or other individuals from the business, financial and other segments of the community who, by virtue of their profession or business, have demonstrated concern for historic preservation. The Historic Preservation Board shall contain not less than one architect; one real estate agent or attorney at law; and one historian or architectural historian. The term of office of membership shall be four (4) years for each member. Any vacancy occurring on the Board shall be filled by the County Commission for the remainder of the unexpired term, at the earliest possible date. Members shall be eligible for reappointment. Members of the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their official duties, as shall be determined and approved by the County Commission. Members of the Board shall be governed by Section 2-11.36, et seq. of the Code.

(Ord. No. 81-13, § 6, 2-17-81; Ord. No. 03-38, § 7, 3-11-03)

Exhibit B

Exhibit B

Federal Emergency Management Agency
Region IV
1371 Peachtree Street, N.E. Suite 700
Atlanta, GA 30309

NATIONAL FLOOD INSURANCE PROGRAM

THE 50% RULE

SUBSTANTIAL DAMAGE Pre-FIRM buildings must be elevated if damaged by any cause for which repair costs are 50% or more of the value of the building. This is a "hidden cost" that actually reduces the value of the structure. Most homeowners never know about this until it happens to them. Ask Saga Bay, Florida! Damage can, occur from flooding, fire, earthquake, wind, or man. This applies to all buildings in a flood hazard area, regardless if the building has flood insurance.

The costs to repair must be calculated for full repair to "before-damage" condition, even if the owner elects to do less. The total costs to repair include both structural and finish materials and labor

SUBSTANTIAL IMPROVEMENT When a Pre-FIRM building is proposed to be remodeled, renovated, rehabilitated, added to, or in any way improved, the proposed modifications must be evaluated for "substantial improvement" If the total costs of improvement are 50% or more of the building value, the building must be elevated, etc., just like "substantial damage". "Total costs" means all structural costs, as well as all finish materials, built-in appliances, hardware, in addition to profit and overhead. The substantial improvement rule is a hidden potential cost that the buyer needs to be aware of

BUILDING VALUE Building value = market value of structure only. Land and exterior improvements are excluded, e.g. swimming pool, pool enclosure, landscaping, paving, etc. Market value = assessed value or properly-depreciated appraised building value. The assessed value may be adjusted upward to reflect the market more accurately. Replacement cost can only be used if properly depreciated. Certified appraisals must be based on the comparable sales method. The land and value must be deducted and it must be equal to or greater than that established by the County Assessor. The building value must be fairly depreciated to reflect the age of the building and the deterioration of building components.

COSTS TO BE INCLUDED The construction costs to be calculated for both substantial damage and improvement include both structural and finish labor and materials. This includes lighting fixtures, built -in appliances, interior moldings, paneling, tiling, wall-to-wall carpet over sub flooring, built-in cabinets, etc. The cost to demolish undamaged building components must be established and included. Overhead and profit are also included, but not the cost of permits. Many of these costs are not normally calculated for purposes of a building permit, nor are they regulated as part of the Building Code. But, they must be calculated for compliance with the 50% Rule. [see attached lists]

WHEN MAPS ARE REVISED Substantial Damage and Substantial Improvement can affect Post-FIRM buildings, too! If the FIRMs are revised, and the flood elevations increased, many Post-FIRM buildings may be affected. The 50% rule applies to them now as well! So, check the FIRMs, find out what flood elevation was in effect when the building was constructed, and what it is today. All additions to a Post-FIRM structure must be elevated to or above the current BFE, whether they are "substantial" or not.

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INTRODUCTION

In previous units we focused on the rules and regulations that prevent or reduce damage from floods to new buildings. But what happens when the owner wishes to make an improvement, such as an addition, to an existing building? What if a building is damaged by a fire, flood or other cause?

Basic rule: If the cost of improvements or the cost to repair the damage exceeds 50 percent of the market value of the building, it must be brought up to current floodplain management standards.

That means an existing building must meet the requirements for new construction.

People who own existing buildings that are being substantially improved will be required to make a major investment in them in order to bring them into compliance with the law. They will not be happy. If the buildings have just been damaged, they will be financially strapped and your elected officials will want to help them, not make life harder for them.

For these reasons, it is easy to see that this basic rule can be difficult to administer. It is also the one time when your regulatory program can reduce flood damage to existing buildings. That's why this course devotes this unit to administering the substantial improvements and substantial damage regulations.

In this reference guide, the term "building" is the same as the term "structure" in the NFIP regulations. Your ordinance may use either term. The terms are reviewed in more detail in Unit 5, Section E.

C. Special Situations

As explained in previous sections, the substantial improvement and substantial damage requirements affect all buildings regardless of the reason for the improvement or the cause of the damage. There are three special situations you should be aware of: exempt costs, historic buildings and corrections of code violations.

Exempt Costs

Certain costs related to making improvements or repairing damaged buildings do not have to be counted toward the cost of the improvement or repairs. These include:

- Plans and specifications.
- Surveying costs.
- Permit fees.
- Demolition or emergency repairs made for health or safety reasons or to prevent further damage to the building.
- Improvements or repairs to items outside the building, such as the driveway, fencing, landscaping and detached structures.

Historic Structures

Historic structures are exempted from the substantial improvement requirements subject to the criteria listed below. The exemption can be granted administratively if the current NFIP definitions of substantial improvement and historic structure are included in your ordinance, or they can be granted through a variance procedure.

In either case, they are usually granted subject to conditions.

If the improvements to a historic structure meet the following three criteria and are approved by the community, the building will not have to be elevated or floodproofed. It can also retain its pre-FIRM flood insurance rating status.

1. The building must be a bona fide "historic structure." Figure 7-13 has the definition that must be followed.

2. The project must maintain the historic status of the structure. If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule.

The best way to make such determinations is to seek written review and approval of proposed plans by the local historic preservation board, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If not, no exemption can be permitted.

3. Take all possible flood damage reduction measures. Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE, or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to reduce the flood damage potential. Examples include:

- Locating mechanical and electrical equipment above the BFE or flood-proofing it.
- Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.

Exhibit C

Exhibit C (1)

Historic Designation of Properties IN MIAMI-DADE COUNTY

FAQs

Frequently Asked Questions



What effect would designation have on my property taxes?

Historic designation and assessed value are independent of each other, and taxes are not automatically increased just because a property has been declared historic. However, it is possible that the value of your property would increase because a historic building is often considered a desirable place in which to live or work. Additionally, designated commercial structures can request to have their taxes assessed at actual income if it is currently being assessed at the "highest and best" use. This has the potential to provide a property owner significant savings on their taxes.

Will I be forced to restore my property if it becomes designated?

No. You are not required to do anything new to your property just because it has been designated. The only time we get involved is when you choose to undergo renovations or restorations.

Are there any financial incentives for owners of designated properties?

Yes. There is an Ad-Valorem tax exemption available to owners of designated properties who restore or make improvements to their buildings. And as historic preservation grants become available, only those properties that are already designated would be eligible. Our office is continually on the look-out for other avenues of financial assistance, such as state and federal grants, which we can then inform our historic property owners about.

What if I want to make changes to the inside of my house/unit?

We do not regulate what you do to the inside of your house, apartment or condo unit. Changes to interiors are only reviewed if the interior space was specifically part of the designation (like the interior of the Dade County Courthouse, for example,) because those interiors are an integral part of the historic fabric.

Are there any restrictions on buying or selling a designated historic property?

No. An owner can sell to whom he or she pleases, as far as the Historic Preservation Ordinance is concerned.

What is the process to get a project approved? How long does it take?

Before a building permit can be issued to a property that is designated, a special permit must first be issued by the County's historic preservation office. This special permit is called a COA, or, Certificate of Appropriateness. The COA basically says to the building official that we have "Certified" that the work is "Appropriate" for the historic building. Most COA's are approved administratively within a day or two. Obviously, projects with extensive plans to review will take a few days longer. The Historic Preservation Board meets once a month to review special COA applications, such as those involving demolitions and major additions.

Exhibit C (2)

MIAMI-DADE COUNTY • OFFICE OF HISTORIC AND ARCHAEOLOGICAL RESOURCES

Historic Designation of Properties IN MIAMI-DADE COUNTY

FAQs

Frequently Asked Questions



Why would a property owner want his/her property designated as historic?

Historic designation often carries a certain prestige that may improve the marketability of your property, increase property values, and secure financing that would not otherwise be available for an older building. The pride that often results in owning recognized historic structures creates neighborhoods that statistically have lower crime rates, higher public investments and cleaner streets and lots. All of this adds up to an increased quality of life. Additionally, the Historic Preservation Board and its staff can provide technical advice to property owners concerning appropriate design, construction methods and selection of materials.

What does the designation of a historic property mean to the property owner?

Designations are meant to protect important historic resources, whether architectural or archaeological, against unnecessary demolition or destruction. Any physical changes to the exterior of a property must be reviewed and approved in advance by the historic preservation staff. This review process is designed to assist owners in developing appropriate plans and designs and inform them of any available benefits.

If my house is historically designated, does it lower my property value?

No. In fact, in most instances the value of historic properties increase after designation, and properties within historic districts often have higher property values than comparable neighborhoods in close proximity. Buyers often search out for historically designated neighborhoods because they know that their own investments will be protected from intrusions into the neighborhood that are out of character with the district.

Does this prevent me from doing anything to my property, such as an addition?

No. Historic designations merely act to preserve those historic portions of the buildings and the features that make them historic. A property owner may add, alter, and even demolish portions of historic buildings provided the proposed project is in keeping with the character of the original structure.

Will I have to appear before the Historic Preservation Board every time I want to do something to my house?

No. Most application reviews are handled administratively by staff. You are only required to appear before the Historic Preservation board for applications to demolish or for significant additions/ alterations that are visible from the street.

Exhibit D

Exhibit D (1)

MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING STRUCTURAL RECERTIFICATION

INSPECTION COMMENCED
Date: May 22 2015

INSPECTION COMPLETED
Date: May 23 2015

INSPECTION MADE BY: DONALD M. DIXON PE
SIGNATURE: Donald Dixon

PRINT NAME: DONALD M. DIXON PE
TITLE: PROFESSIONAL ENGINEER

ADDRESS: 7481 WEST OAKLAND PARK BLVD
LAUDERHILL FLORIDA 33313

1. DESCRIPTION OF STRUCTURE

a. Name on Title: Bay Harbour Continental Inc Co-Op
b. Street Address: 1135 103 Street Bay Harbor Island 33154
c. Legal Description: Bay Harbor Island PB 46-5 Lot F Less South 11 Feet
d. Owner's Name: Bay Harbor Continental Inc Co-Op
e. Owner's Mailing Address: 1135 103 Street Bay Harbor Islands 33154
f. Folio Number of Property on which Building is Located: 13-2227-001-6770
g. Building Code Occupancy Classification: FBC 2010 (R2)
h. Present Use: RESIDENTIAL CONDOMINIUM BUILDING
i. General Description, Type of Construction, Size, Number of Stories, and Special Features
Additional Comments:

Type VB ordinary construction. Five story concrete masonry building

Donald Dixon
60745181

Exhibit D (2)

Additions to original structure:

2. PRESENT CONDITION OF STRUCTURE

a. General alignment (not good, fair, poor, explain if significant)

1. Bulging VERY GOOD

2. Settlement NONE

3. Defections NONE

4. Expansion NONE

5. Contraction NONE

b. Portion showing distress (Note, beams, columns, structural walls, floors, roofs, other)

BUILDING IN VERY GOOD CONDITION

c. Surface conditions – describe general conditions of finishes, noting cracking, spalling, peeling, signs of moisture penetration & stains.

External surface seems to be in very good condition. A repair and paint job was done about two years ago.

Donald Duca
PE #51651

Exhibit D (3)

d. Cracks – note location in significant members. Identify crack size as HAIRLINE if barely discernible; FINE if less than 1 mm in width: MEDIUM if between 1 and 2 mm in width; WIDE if over 2 mm.

No visible cracks (X)

e. General extent of deterioration – cracking or spalling of concrete or masonry; oxidation of metals; rot or borer attack in wood.

No sign of deterioration

f. Previous patching or repairs . None

g. Nature of present loading indicate residential, commercial, other estimate magnitude.

Residential

3. INSPECTIONS

a. Date of notice of required inspection May 20, 2015

b. Date(s) of actual inspection May 22 and 23 2015

c. Name and qualifications of individual submitting inspection report:

Donald M. Dixon Professional Engineer

d. Description of any laboratory or other formal testing, if required, rather than manual or visual procedures

None

e. Structural repair-note appropriate line:

1. None required X

2. Required (describe and indicate acceptance) n/a

4. SUPPORTING DATA

a. _____ sheet written data

b. _____ photographs

c. _____ drawings or sketches:

Donald Dixon PE #51151

Exhibit D (4)

5. MASONRY BEARING WALL = Indicate good, fair, poor on appropriate lines:

a. Concrete masonry units good

b. Clay tile or terra cota units N/a

c. Reinforced concrete tie columns Good

d. Reinforced concrete tie beams Good

e. Lintel Good

f. Other type bond beams Good

g. Masonry finishes - exterior Good

1. Stucco Good

2. Veneer N/a

3. Paint only Good

4. Other(describe)

h. Masonry finishes - interior Good in areas where it is visible

1. Vapor barrier N/a

2. Purring and plaster Good

3. Paneling N/a

4. Paint only Good

5. Other (describe)

i. Cracks: No visible cracks (X)

1. Location - note beams, columns, other None

2. Description N/a

j. Spalling: None

1. Location - note beams, columns, other None

2. Description N/a

k. Rebar corrosion-check appropriate line: None visible

1. None visible (X)

2. Minor-patching will suffice N/a

3. Significant-but patching will suffice N/a

4. Significant-structural repairs required N/a

Donald Dean
PE #51151

Exhibit D (5)

l. Samples chipped out for examination in spall areas:

1. No. (X)

2. Yes - describe color, texture, aggregate, general quality N/a

6. FLOOR AND ROOF SYSTEM

a. Roof:

1. Describe (flat, slope, type roofing, type roof deck, condition.

6" thick reinforced concrete flat roof. In very good condition

2. Note water tanks, cooling towers, air conditioning equipment, signs, other heavy equipment and condition of support: Ac equipment on roof. All supports are in good condition

3. Note types of drains and scuppers and condition:

Aluminum scuppers and down spouts in good condition

b. Floor system(s) R.C

1. Describe (type of system framing, material, spans, condition)

Reinforced concrete floor slab. About 4" thick. In good condition.

c. Inspection – note exposed areas available for inspection, and where it was found necessary to open ceilings, etc. for inspection of typical framing members.

Access thru drop ceiling access areas

7. STEEL FRAMING SYSTEM

a. Description None

Donald Duncan
PE #51151

Exhibit D (6)

b. Exposed Steel - describe condition of paint & degree of corrosion:

n/a

c. Concrete or other fireproofing – note any cracking or spalling, and note where any covering was removed for inspection

None

d. Elevator sheave beams & connections, and machine floor beams – note condition:

good

8. CONCRETE FRAMING SYSTEM

a. Full description of structural system

very good condition

b. Cracking

1. Not significant None

2. Location and description of members affected and type cracking

c. General condition

good

d. Rebar corrosion - check appropriate line:

1. None visible None

2. Location and description of members affected and type cracking None

3. Significant but patching will suffice None

4. Significant - structural repairs required (describe) None

e. Samples chipped out in spall areas: None

1. No. (X)

2. Yes, describe color, texture, aggregate, general quality: N/a

Donald Duren
PE #51151

Exhibit D (7)

9. WINDOWS

a. Type (Wood, steel, aluminum, jalousie, single hung, double hung, casement, awning, pivoted, fixed, other) Alum.

b. Anchorage – type & condition of fasteners and latches: Tapcons in good condition

c. Sealant – type of condition of perimeter sealant & at mullions: Corking in good condition

d. Interiors seals – type & condition at operable vents: Rubber in good condition

e. General condition: very good

10. WOOD FRAMING

a. Type – fully describe if mill construction, light construction, major spans, trusses; N/a

b. Note metal fitting i.e., angles, plates, bolts, split pintles, pintles, other, and note condition: N/a

c. Joints – note if well fitted and still closed: N/a

d. Drainage – note accumulations of moisture: N/a

e. Ventilation –note any concealed spaces not ventilated: N/a

f. Note any concealed spaces opened for inspection: N/a

SD:rs:vc:mb:js:rtc1:2/11/2010:40yrtrackingsystem

Donald [illegible]
PE#51151

Exhibit E

Exhibit E (1)

MINIMUM INSPECTION PROCEDURAL GUIDELINES FOR BUILDING ELECTRICAL RECERTIFICATION

INSPECTION COMMENCED
Date: May 20, 2015

INSPECTION COMPLETED
Date: May 22, 2015

INSPECTION MADE BY: Donald M. Dixon P.E.
SIGNATURE:

PRINT NAME: Donald M. Dixon
TITLE: Professional Engineer

ADDRESS: 7481 West Oakland Park bLVD
Lauderhill Fl. 33313

DESCRIPTION OF STRUCTURE

a. Name on Title: Bay Harbor Continental Inc Co - Op

b. Street Address: 1135 103 Street Bay Harbor Islands

c. Legal Description: Bay Harbor Islands PB 46-5, Lot F Less South 11 Feet

d. Owner's Name: Bay Harbor Continental Inc

e. Owner's Mailing Address: 1135 103 Street Bay Harbor Islands Fl. 33154

f. Folio Number of Property on which Building is Located: 13-2227-001-6770

g. Building Code Occupancy Classification: R2

h. Present Use: Residential Condominium units

i. General Description, Type of Construction, Size, Number of Stories, and Special Features

Additional Comments: Type VB ordinary construction. Five story cmu building

PE #51151

Exhibit E (2)

GUIDELINES AND INFORMATION FOR RECERTIFICATION OF ELECTRICAL SYSTEMS OF FORTY (40) YEAR STRUCTURES

1. ELECTRIC SERVICE

1. Size:	Amperage	(400)	Fuses	( )	Breakers	(x)	
2. Phase:	Three Phase	( )	Single Phase	(x)			
3. Condition:	Good	(x)	Fair	( )	Needs Repair	( )	

Comments: In good condition

2. METER AND ELECTRIC ROOM

1. Clearances:	Good	(x)	Fair	( )	Requires Correction	( )

Comments:

3. GUTTERS

Location:	Good	(x)	Requires Repair	( )
Taps and Fill:	Good	(x)	Requires Repair	( )

Comments:

Donald Price
PE #51681

Exhibit E (3)

4. ELECTRICAL PANELS

Location: Good (x) Needs Repair ( )

1. Panel #( )

Good (x) Needs Repair ( )

2. Panel #( )

Good (x) Needs Repair ( )

3. Panel #( )

Good (x) Needs Repair ( )

4. Panel #( )

Good (x) Needs Repair ( )

5. Panel #( )

Good (x) Needs Repair ( )

Comments:

5. BRANCH CIRCUITS:

1. Identified: Yes (x) Must be identified ( )

2. Conductors: Good (x) Deteriorated ( ) Must be replaced ( )

Comments:

Donald Duncan
PE #51151

Exhibit E (4)

6. GROUNDING SERVICE:

Good (x) Repairs Required ( )

Comments: in good condition

7. GROUNDING OF EQUIPMENT:

Good (x) Repairs Required ( )

Comments:

8. SERVICE CONDUITS/RACEWAYS:

Good (x) Repairs Required ( )

Comments:

9. SERVICE CONDUCTOR AND CABLES:

Good (x) Repairs Required ( )

Comments:

Donald Duran
PE #51151

Exhibit E (5)

6. GROUNDING SERVICE:

Good (x) Repairs Required ( )

Comments: in good condition

7. GROUNDING OF EQUIPMENT:

Good (x) Repairs Required ( )

Comments:

8. SERVICE CONDUITS/RACEWAYS:

Good (x) Repairs Required ( )

Comments:

9. SERVICE CONDUCTOR AND CABLES:

Good (x) Repairs Required ( )

Comments:

Donald Duran
PO #31181

Exhibit E (6)

10. TYPES OF WIRING METHODS:

Conduit Raceways:	Good	( )	Repairs Required	( )
Conduit PVC:	Good	( )	Repairs Required	( )
NM Cable:	Good	(x)	Repairs Required	( )
BX Cable:	Good	( )	Repairs Required	( )

11. FEEDER CONDUCTORS:

Good (x) Repairs Required ( )

Comments:

12. EMERGENCY LIGHTING:

Good (X) Repairs Required ( )

Comments: All emergency lights work and are in good condition. Some new

13. BUILDING EGRESS ILLUMINATION:

Good (X) Repairs Required ( )

Comments: All exit lights work and has battery backup

Donald Dixon
PE #5118

Exhibit E (7)

14. FIRE ALARM SYSTEM:

Good (X) Repairs Required ( )

Comments:

15. SMOKE DETECTORS:

Good (X) Repairs Required ( )

Comments:

16. EXIT LIGHTS:

Good (X) Repairs Required ( )

Comments:

17. EMERGENCY GENERATOR:

Good (N/A) Repairs Required ( )

Comments:

Donald Ocon
PE #51151

Exhibit E (8)

18. WIRING IN OPEN OR UNDER COVER PARKING GARAGE AREAS:

Require Additional

Good (N/A) Repairs Required ( )

Comments:

19. OPEN OR UNDERCOVER PARKING GARAGE AREAS AND EGRESS ILLUMINATION:

Require Additional

Good (N/A) Repairs Required ( )

Comments:

20. SWIMMING POOL WIRING:

Good (Good) Repairs Required (Good)

Comments:

21. WIRING TO MECHANICAL EQUIPMENT:

Good (Good) Repairs Required ( )

Comments:

Donald Dixon
PC #51131

Exhibit E (9)

22. ADDITIONAL COMMENTS:

Building and its equipment etc in generally good condition. Repairs were done in the not too distant past in anticipation of this inspection.

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Donald Ha
PE #51151

Exhibit F

EXHIBIT F
P. 1

National Trust *for* Historic Preservation
Save the past. Enrich the future.

April 14, 2015

Miami-Dade County Historic Preservation Board
C/o Kathleen Kauffman, Chief Preservation Officer
111 NW 1st Street, 12th Floor
Miami, Florida 33128

Dear Members of the Miami-Dade County Historic Preservation Board:

As you know, last year The National Trust for Historic Preservation listed Bay Harbor's East Island as one of the 11 Most Endangered Historic Places in America. East Island is endangered by redevelopment as large-scale construction threatens to take the place of the smaller scale mid-century modern buildings.

These buildings represent the work of many of the most prominent modern architects such as Charles McKirahan and Morris Lapidus. They make for a cohesive whole, a tribute to the Miami Mid-Century Modern (MIMO) style.

As National Trust president, Stephanie Meeks, said, when the listing was announced, "As one of the nation's foremost collections of Modernist architecture, Bay Harbor's East Island represents a significant piece of America's unique architectural history. The island's historic buildings were thoughtfully and creatively adapted to South Florida's tropical environment. We must urge developers and the city to not subject these uniquely designed mid-century modern structures to the wrecking ball."

You are in a position to begin the process of saving the remaining significant structures on East Island. As the Bay Harbor Continental and the Bay Harbor club are threatened with redevelopment, I urge you to grant Historic Site Designation to both. Bay Harbor's East Island is an architectural gem, showcasing a style unique to Miami, MIMO. If the buildings on the island are not protected Bay Harbor's East Island is in danger of becoming just another group of condos with good views.

Thank you for your consideration.

Sincerely,

John B. Hildreth

John Hildreth
Vice President for Eastern Field Services

Eastern Field Services, William Aiken House, 456 King Street, 3rd Floor Charleston SC 29403
info@savingplaces.org P 843.722.8552 F 843-722-8652 www.PreservationNation.org

EXHIBIT F P2

Share your email address

WHAT IS PRESERVATION WHO WE ARE WHAT WE DO SAVE A PLACE JOIN US SEARCH

11 Most Endangered Historic Places

Bay Harbor's East Island

Year Listed: 2014
Location: Dade County, Florida
Threat: Demolition



Photo courtesy Miami-Dade County Office of Historic Preservation

Significance

Bay Harbor's East Island is one of the largest concentrated collections of mid-century Miami Modern (MiMo) style architecture in the country. MiMo is Miami's unique interpretation of the Modernist movement—adapted to suit the local climate and embodying the mid-century ideals of forward progress.

Several of the island's historic buildings were designed by renowned architects including, Morris Lapidus, Henry Hohauser, and Charles McKirahan. These architects helped transition the definitive Miami architectural style from Art Deco in the 1930s into the MiMo style that emerged in the mid-20th century.

Today, Bay Harbor's East Island stands threatened with redevelopment as large-scale construction moves throughout the area.



The National Trust for Historic Preservation, a privately funded nonprofit organization, works to save America's historic places.

2600 Virginia Avenue NW, Suite 1100, Washington, DC 20037
P 202.588.6000 T 800.944.6847 F 202.588.6038

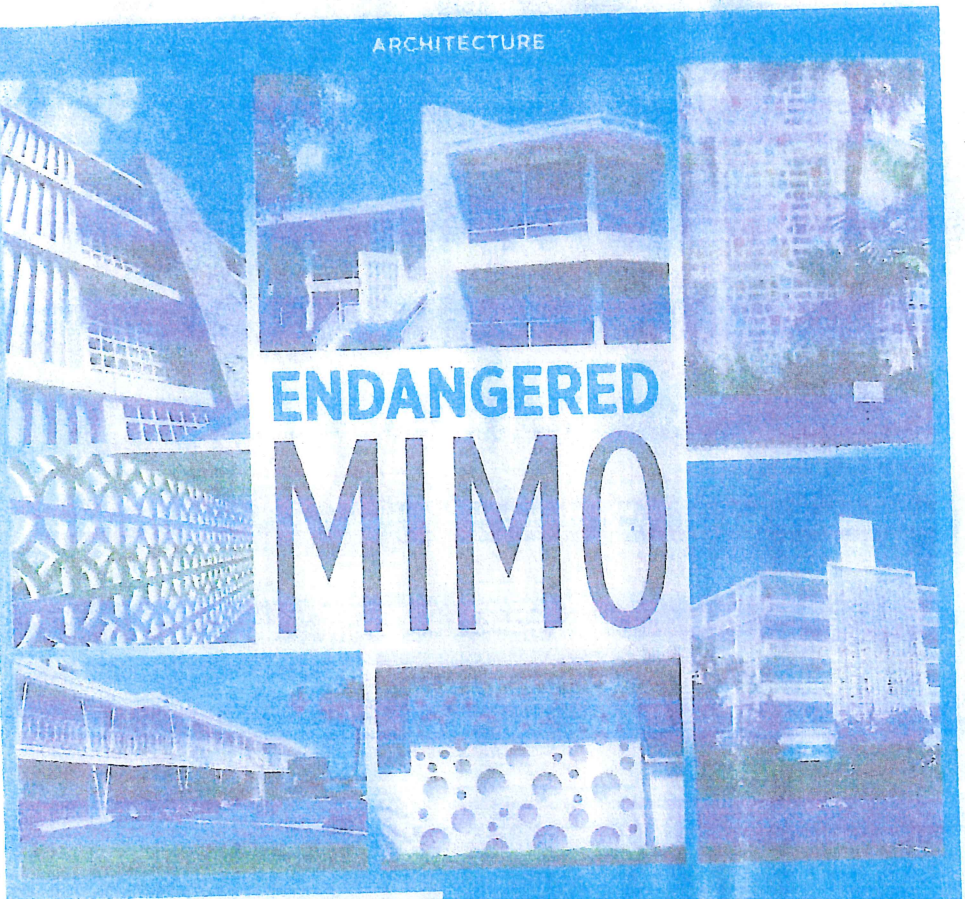
EXHIBIT F
P. 3

Miami Herald

SUNDAY, JULY 13, 2014 $2.00 FINAL EDITION MIAMIHERALD.COM

ARCHITECTURE

ENDANGERED MIMO



group has put a trove of Miami Modern buildings in Bay Harbor Islands on its list of most endangered historic places.

BY ANDRES VIGLUCCI
Miglucci@MiamiHerald.com

When lawyer and developer Sheperd Broad created the town of Bay Harbor Islands 60 years ago from two mangrove clumps in the middle of Biscayne Bay, he recruited an all-star crew of local architects for a bold undertaking.

Over a dozen years, they forged a showcase of modern architecture with a decidedly subtropical twist on the town's East Island — a cohesive collection of dozens of breezy duplexes, garden apartments and bigger co-op buildings regarded today as one of the most significant surviving troves of Miami Modern, or MiMo, design.

It may also be the most imperiled.

Because of a surge of upscale condo development and a town leadership that preservationists contend is indifferent, if not hostile, to the idea of saving any of it, Bay Harbor's East Island has landed on the National Trust for Historic Preservation's list of America's 11 Most Endangered Historic

• TURN TO MIMO, 15A



PHOTOS BY TERI D'AMICO

DEFINING VALUE: Preservationist Kathleen Kauffman says the area's value resides as much in the whole as in the design of individual buildings, overall architectural consistency, and the careful mix of small and larger buildings.

AFFORDABLE CARE ACT

Some doctors rejecting exchange plans

Consumers who bought private health plans through the Affordable Care Act's exchange are finding that some doctors refuse to honor coverage purchased through the government-run marketplace.

BY DANIEL CHANG
dchang@MiamiHerald.com

After being without health insurance for two years, Miranda Childe of Hallandale Beach found a plan she could afford with financial aid from the government using the Affordable Care Act's exchange.

Childe, 60, bought an HMO plan from Humana, one of the nation's largest health insurance companies, and received a membership card in time for her coverage to kick in on May 1.

But instead of being able to pick a primary care physician to coordinate her healthcare, Childe says she repeatedly ran into closed doors from South Florida doctors who are listed in her plan's provider network but refused to see patients who exchange.

"I just felt that I wasn't being treated like a first-class citizen," said Childe, who even-

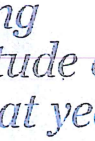
• TURN TO OBAMACARE, 2A

LEBRON JAMES

Feeling gratitude after 4 great years

The letter in Sports Illustrated was super sweet. Had a writer's touch. Really nice. Perfect, really. So perfect. Too perfect, if you are cynical and embittered and hurt.

And the fairy-tale story itself might even be somehow better than that. Conquering hero returns home, to rebuild the shattered place. It was all spun so



IN MY OPINION
Dan Le Batard

Miami Herald, Sunday Cover – Article on Bay Harbor Islands, Endangered MiMo Building
4 out 8 photos, are 2 Mckirahan buildings, 2 out 4 Photos is The Bay Harbor Continental Proving that the continental represents the best of the Bay Harbor Island Collection of MiMo architecture.

Ex 4. F

Miami-Dade County

SUBSCRIBE

PAGE 4

Miami Herald

Bay Harbor Islands' MiMo architecture in 'danger,' preservationists say

The nation's leading preservation group puts a trove of Miami Modern buildings in Bay Harbor Islands on its list of most endangered historic places.

BY ANDRES VIGLUCCI

07/12/2014 10:05 PM | Updated: 07/13/2014 11:04 AM

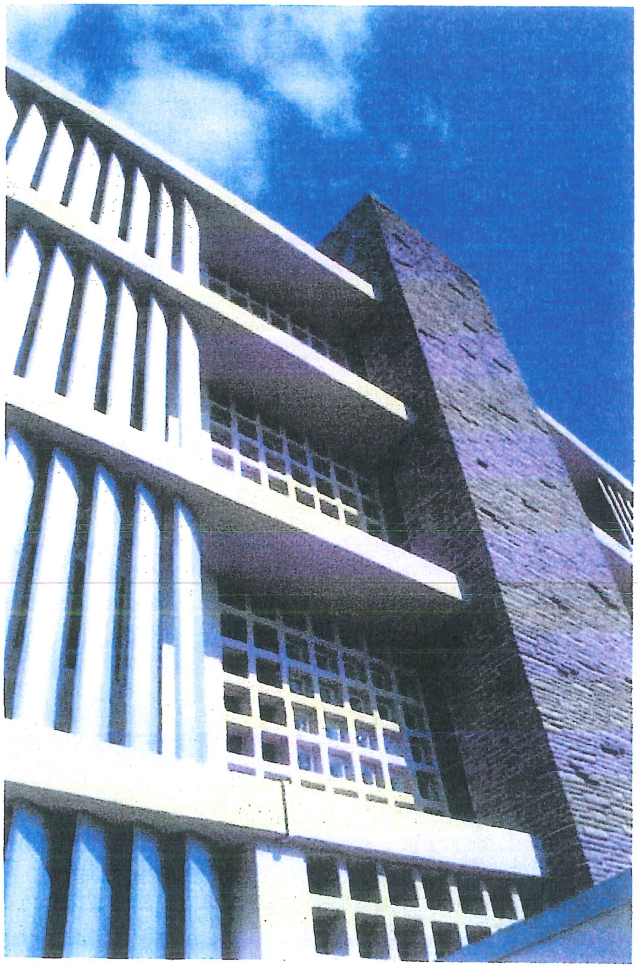


EXHIBIT 5

When lawyer and developer Shepard Broad created the town of Bay Harbor Islands 60 years ago from two mangrove clumps in the middle of Biscayne Bay, he recruited an all-star crew of local architects for a bold undertaking.

Over a dozen years, they forged a showcase of modern architecture with a decidedly subtropical twist on the town's East Island — a cohesive collection of dozens of breezy duplexes, garden apartments and bigger co-op buildings regarded today as one of the most significant surviving troves of Miami Modern, or MiMo, design.

It may also be the most imperiled.

Because of a surge of upscale condo development and a town leadership that preservationists contend is indifferent, if not hostile, to the idea of saving any of it, Bay Harbor's East Island has landed on the National Trust for Historic Preservation's list of America's 11 Most Endangered Historic Places.

Preservationists and MiMo acolytes say they hope that inclusion on the widely publicized list, which Trust officials say has helped salvage scores of important sites and buildings, will prompt town officials to recognize the historic, cultural and economic value of the East Island's MiMo bundance.

Up to now, they say, the town council has consistently spurned pleas to safeguard some of the island's most important buildings — designs by such big names as Morris Lapidus, Igor Polevitzky, Charles McKirahan and Robert Swartburg — or to ensure that new development on the island is compatible with the scale and feel of its architectural heritage.

Instead, they say, the town has been quick to approve demolitions and new lot-filling condo and townhouse projects that overwhelm the island's modestly scaled historic buildings and clash architecturally with them. The town has in recent months approved some 25 new condo projects, more than half of which would replace architecturally significant buildings, Miami-Dade County preservation officials say.

"They have basically ignored us," said Teri D'Amico, an interior designer and longtime East Island resident who co-coined the MiMo label, now widely accepted to describe a uniquely local version of mid-20th century architecture. "We have no planning or vision. The new development is bad and so insensitive to what's here. People have front doors looking into a parking garage. We are losing the quality of life that makes it so special."

EXHIBIT # 7

Robert Yaffe, Bay Harbor's mayor and a longtime council member, strongly disputes those assertions. Because the town doesn't have its own preservation program, he noted, it cannot by itself designate historic buildings for protection — a function that falls to the county's preservation board.

Yaffe said he was surprised the town wound up on the Trust list. He said the council has never taken a position against preservation. The subject hasn't come up for discussion since the council sponsored a symposium on historic preservation several years ago, he said. That symposium has not led to any concrete results.

"The town has never to my knowledge opposed the efforts of anybody to designate any property. There has been some discussion in the past regarding some of the properties in the town that some people recognized as architecturally significant, but it's not been a matter of active discussion in council meetings," he said.

He wouldn't say whether he would support designation of any structures, saying it's not a matter for the town council.

"It's not something the town would necessarily do. That's up to the county's board," he said.

Pressed for his opinion of MiMo architecture or the value of the East Island's historic buildings, Yaffe was succinct: "There is some very interesting architecture within the town."

But Miami-Dade preservation officials say they halted an effort in 2010 to designate two landmark, adjacent McKirahan buildings as historic because of opposition from the town council, which went so far as to send an outside attorney to oppose them at a public meeting — a move county preservation chief Kathleen Kauffman said was likely unprecedented.

One of the two buildings, distinguished by exterior screens composed of interspersed concrete and colored glass blocks, was recently sold and is presumed fated for the wrecking ball. Preservationists fear its neighbor — which boasts an unusual spiral-staircase entryway and was featured in the hit cable TV series *Dexter* as the main character's home — may be next.

The county has broad legal authority to protect historic buildings in Bay Harbor and other municipalities without preservation programs but prefers to win some support from local officials and residents first, Kauffman said.

EXHIBIT F p 8

"We were trying to work in good faith with the town," she said. "We have the option of going in to start designating buildings, but that's not in anyone's best interest."

Kauffman said there is little question that the East Island is chock-full of MiMo buildings that meet the legal criteria for historic designation under local and federal standards. A building-by-building survey of the island conducted a few years ago by the late planner Carlos Dunn lays out what she called an overwhelming case for its historic and architectural value.

That value resides as much in the whole as in the design of individual buildings, she said — the overall architectural consistency, the careful mix of small and bigger buildings and the sensitive, low-density layout, meant to maximize water views, breezes and open spaces.

"To us, what's even more significant is the scale and density and how buildings were sited," Kauffman said. "Everyone's front door opens to something beautiful. It gives every resident in these buildings an enhanced quality of life."

That's not to minimize the architectural pizzaz of its distinctive buildings, many of which are clearly the work of skilled designers and in some instances exemplars of the jaunty MiMo style, she said. MiMo architecture is typically realized in concrete, and characterized by geometric play, breezeways, catwalks, floating staircases, decorative railings, intricate shading screens made of molded concrete blocks or metal grilles, and angular "beanpole" columns.

"The details are just fantastic," Kauffman said. "It's incredible that all these architects were designing in one place more or less at the same time."

The island's new and planned buildings, most of them blocky structures meant to maximize allowable square footage, not only disrupt the carefully conceived urban fabric of the island but are by and large architecturally undistinguished, some preservationists say — either bland contemporary designs or generic "Tuscan" rowhouses that make no effort to relate to their MiMo forebears.

"I call them brutally average," D'Amico said.

Yaffe disagrees: "I think a lot of the projects that have been proposed are very interesting architecturally and will be nice additions to Bay Harbor."

EXHIBIT #9

Bay Harbor's alleged neglect of its architectural heritage stands in sharp contrast to the approach of Miami Beach and Miami, both of which have celebrated and protected MiMo districts that include iconic structures such as Lapidus' Fontainebleau and Eden Roc hotels along Collins Avenue, and Swartburg's Vagabond Motel on Biscayne Boulevard.

The Vagabond, which is similar in scale and feel to Bay Harbor's garden apartments, is about to reopen after an extensive restoration.

The Beach is also weighing creation of protected MiMo districts in its North Beach neighborhood, which is already on the National Register of Historic Places. North Beach has a concentration of 1950s residences similar to that of the East Island, and by some of the same prominent architects of the time.

Even Coral Gables, better known for its Mediterranean architecture, has designated a late-MiMo office building by Lapidus on Le Jeune Road as a protected historic landmark.

But MiMo's recognition as a distinct, and valuable, architectural style has come only recently amid a revival of appreciation for the broader field of mid-century design. And, as often happens with architecture from the recent past, many people believe it's ugly or not worth saving, said National Trust president Stephanie Meeks.

In that sense, she said, Bay Harbor is not unique. Buildings from the era are "under siege" and being demolished for redevelopment in growing numbers across the country, she said.

"MiMo is a very distinctive interpretation of mid-century modern architecture. There isn't anything else like it in the country," Meeks said. "In this particular case we understand the threat is real."

Meeks and other preservationists say the designation of historic buildings and the creation of historic districts, a subset of local government's zoning powers, have amply proved their value by spurring redevelopment and economic revivals of once-neglected neighborhoods like Miami's Morningside and, perhaps most prominently, South Beach. That's in part because more people, including developers, are seeking out places with a distinctive character and architecture to work, invest and live in, preservationists say.

Despite common misconceptions, designation protects the exterior of buildings but does not bar additions or redevelopment, so long as new construction is *simpatico* with the historic. The ccess of South Beach has been in part credited to Miami Beach's careful balancing of new

Exhibit G

Exhibit G. p1

Tropic

FLORIDA LIVING & DESIGN | APRIL, 2015



EXHIBIT
O 2
p. 2



Tray balconies and breezeblock walls studded with multi-colored glass block are just two of McKirahan's signature treatments at the Bay Harbor Continental, built in 1958.

UNCOVERING McKIRAHAN

A South Florida Supernova may — finally — be getting some recognition.

Text John T. O'Connor **Photos** Robin Hill

DESPITE ITS OFTEN-GLOWING REPUTATION, the 1950s weren't always so "fabulous." In fact, 1958 especially was not a good year for the United States. More than a decade of post-War prosperity came to a crashing end. Unemployment hovered at seven percent. And, even worse, teen idol/singer Elvis Presley was drafted into the U.S. Army! President Dwight D. Eisenhower found himself commanding a country experiencing its first major recession since the Great Depression.

In the State of Florida, which had grown tremendously following the Second World War, the economic outlook was slightly sunnier. At the time, the chief employer was the commercial airline industry which began shuttling tourists in and out of the state year-round. Enterprises devoted to cement and even armaments were thriving as well.

Exhibit H

EXHIBIT H
P. 1

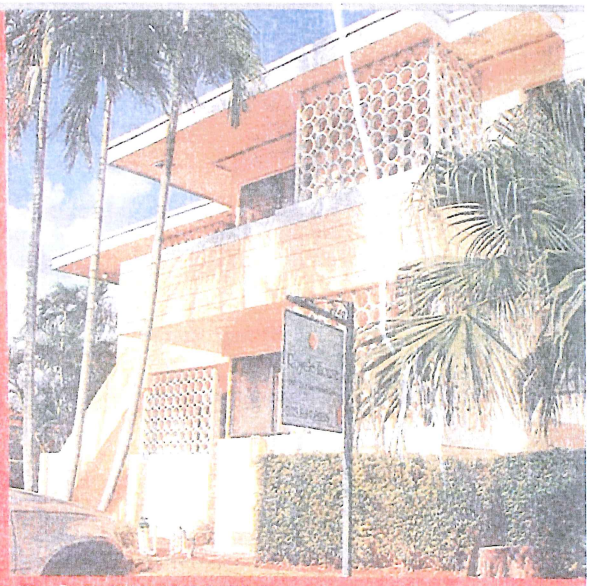
AMI BEACH | BAL HARBOUR | BAY HARBOR ISLANDS | SURFSIDE | NORTH BAY VILLAGE | FISHER

NEIGHBOR

Y, AUGUST 13, 2006 | EDITOR: JIM MURPHY | 305-376-2036 | MiamiHerald.com

The Mian





HISTORIC OPPORTUNITY

n Bay Harbor Islands, where the MiMo term was coined, a recent survey of structures 50 years or older has yielded dozens of possible ational landmarks, including, clockwise from top left, Bay Harbor Continental, the Royale House, Coral Sea Towers and the Anchorag





PHOTOS BY ANGELO SEMERARO / FO

AMI BEACH

by the owners of the Ritz Plaza hotel to a beachside addition to its property on

SURFSIDE

Hundreds show up to sprawl on the sand and enjoy the Bard's plays during the tourist

EDUCATION

See what's happening at your schoo

POLICE REPORT, 10

H-p2

NOTE



PHOTO: MYROSLAV BOSKY

Architect Charles McKirahan's Bay Harbor Continental, one of Miami's most beautiful MiMo buildings, is one of many structures unprotected on Bay Harbor Island's East Island.

The Bay Harbor Islands

A RECENT OUTCRY OVER the rampant demolition of Miami Modern (MiMo) buildings in Bay Harbor Islands has uncovered a town council with blinders on when it comes to protecting its often-outstanding Mid-Century Modern buildings.

Unaware of the architectural importance of structures by names like Hohauser, McKirahan and Polevitzky or just indifferent to the beauty that surrounds them, this town council has allowed dozens of structures to be quietly bulldozed, changing the character of these islands forever.

The East Island, home to many multi-unit co-ops, condominiums and garden courtyard apartments, is in immediate danger and needs historic designation now. Apparently, the town council is oblivious to Miami's unique position in American architectural history. They were asked on more than one occasion to inaugurate a local preservation board, a board which would have given them the clout, like Miami Beach, to make local decisions on designations or exclusions from designation. They chose not to form a board, and now the fate of Bay Harbor Islands rests not in their hands but in the hands of the Miami-Dade Office of Historic Preservation.

As for Bay Harbor Islands, it's as if we are seeing South Beach – circa 1976 – all over again. Historians, museum curators, and authors are beginning to take note of what has been called "one of the finest and most cohesive collections of Mid-Century Modernist multifamily residential and commercial architecture in the world." At the same time, some locals just see these wild, progressive, Post-War buildings as "old and ugly." The same was thought of crumbling Art Deco buildings in South Beach in 1977, when very few of those structures were 50 years old.

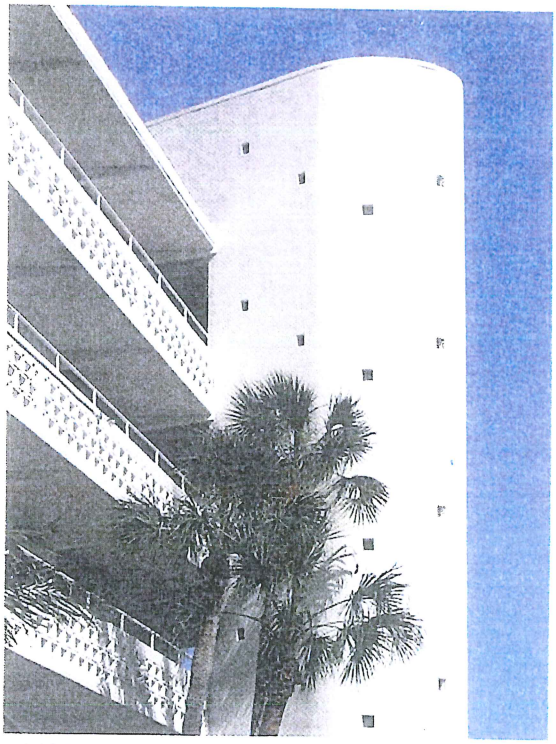
The time to act on the designation of the East Island of Bay Harbor Islands is now. With the gleam of restored buildings standing alongside compatible new architecture all around the city, let's not allow Bay Harbor Islands to become the land that culture forgot.

H-3

Bay Harbor Islands: From Swampy Marsh to Island Oasis

TEXT NINA KORMAN

As you drive through the Town of BAY HARBOR ISLANDS east on 96th Street, better known as Kane Concourse, and begin the ascent up a small bridge crossing Indian Creek, a rectangular white sign with blue lettering declares "Bay Harbor Islands, Please Come Back." Delineating the eastern boundary of the city, the placard also performs a service for drivers or pedestrians who might be confused about where they are. Right over the bridge is Bal Harbour Village, a 59-year-old suburb long known for its beauty, exclusivity, and, in the past, its restrictive policies toward Jews.



Mid-Century beauty on the water at the end of East Island.

Ironically, as Bal Harbour developed after World War II, right next door, a Jewish attorney named Shepard Broad was creating the Town of Bay Harbor Islands. Broad had arrived in South Florida in 1940, coming from New York by way of Pinsk, Russia, just 20 years earlier. By 1945 he was said to have traded part ownership in a downtown Miami office building for two marsh islands in Biscayne Bay. Using his money and funds earned from the sale of soon-to-be lots, he had the swamps filled. Businessman Benjamin Kane teamed up with Broad and two years later, in 1947, the town was incorporated. Broad was elected mayor and served for an astonishing 26 consecutive years, until 1973.

The visionary Broad created a bifurcated town consisting of two islands flanked by the City of North Miami to the west and by the Town of Surfside and the Village of Bal Harbour to the east. But Bay Harbor Islands could only be reached by 96th Street on the Miami Beach side until 1951. That year the Broad Causeway was constructed and the town joined to the mainland at North Miami, connecting at NE 123rd Street. By then Bay Harbor Islands counted 550 residents living in 46 dwellings.

Abiding by strict zoning regulations, the developers established the 103-acre West Island as a place for single-family homes. And according to the town's building department, 302 houses are there now. The 150-acre East Island boasts a small modernist commercial zone with a strip of offices and stores, plus a fair amount of apartments and condominiums, many with expansive water views. The very popular Ruth K. Broad elementary school also sits on the East Island.

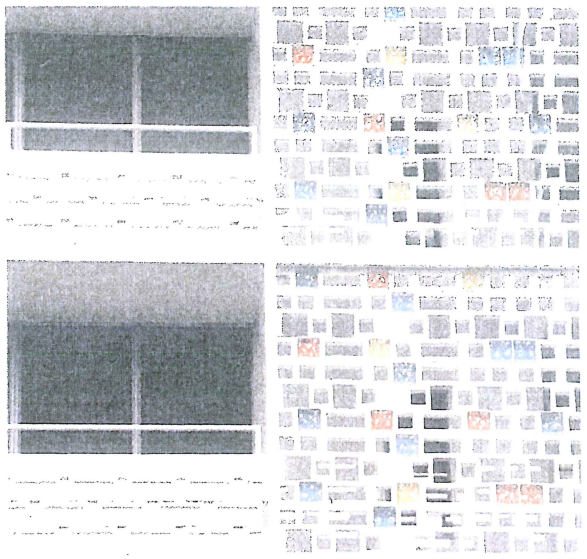
While Broad's imprint can be seen all over the causeway and West Island streets named Broadview Terrace, plus East and West Broadview Drive, partner Benjamin Kane only had the main drag named after him. There businesses include banks, beauty salons, restaurants

EXH H- P 4

NOTE

Taking a Bite of Our Rich, Delicious History

IN THE INTRODUCTION to an excellent new book, *Florida Modern*, the author Jan Hochstim makes a statement regarding the general public's perception of Florida architecture. Noting that most people are more familiar with the Spanish Mediterranean or Art Deco, he says, "Hardly anyone thinks of the fabulous and daring modern architecture that sprang up in Florida in the twenty-five years following the Second World War. Now that more than half a century has passed since the beginning of that creative period, it is essential to publicize the work and to raise concern for its architectural legacy. Too many excellent examples of modernism in Florida, like so many throughout the world, have been disappearing, or have been altered beyond recognition."



Mid-century marvels often included features such as screen block walls and decorative railings – elements that are imperative to restore, not replace – which took strict modernism on a tropical ride.

His perceptions are right on target as many buildings of this postwar era are often overlooked or seen in as a burden to developers looking to maximize the financial potential of a piece of land. But these buildings, representing an era of unbridled optimism... an era that would usher in the space age, are incredibly important. They represent an amazing leap of faith by an extremely talented set of architects into the brave new world of Modernism. Walter Gropius, Philip Johnson, Richard Neutra and numerous others began to build in clear, elegant and reductive ways, and their ideas spread to a forward thinking group from Florida. An entire era of daring new buildings by names like Polevitsky, Parker, McKirahan, Duckham and Weed burst forth from our sub-tropical topography.

As hard as historians, preservationists and just plain admirers work to save and restore the best of these structures, there always seems to be another group that just doesn't "get" this period of architecture and is eager to erase it from our cities.

Which brings us to the latest call to action. A museum exhibition of a portion of these endangered works entitled *Going, Going, Gone? Mid-Century Modern Architecture in South Florida* is opening July 8th at the Museum of Art | Fort Lauderdale. The exhibit will run until the entire museum closes to prepare for the blockbuster King Tut exhibit, due to open in December.

Going, Going, Gone provides the opportunity for viewers to see the wealth of Mid-Century Modern and MiMo architecture that runs from Miami all the way through Fort Lauderdale. Through the marvelous images of Robin Hill, Thomas Delbeck, Arthur Marcus and Dixi Carillo, the exhibition is a fast and furious way to familiarize yourself with both textbook and exceptional examples from this region's sophisticated, often sometimes eccentric, take on Modernism. Take a look at our preview on pages 99 to 103. So pack a light lunch, jump in the convertible and head north. This is one exhibit that should not be missed.

JOHN O'CONNOR, PUBLISHER

Exhibit P.5

BAY HARBOR ISLANDS

Preservationists want to save islands' MiMo buildings

• MIMO, FROM 1B

"People are really concerned about the direction this town is going in," said Teri D'Amico, who coined the phrase MiMo, short for Miami Modern. The post-war utilitarian style that spanned the late 1940s to the mid-1960s is a staple of old Miami that many callers said they remember driving past as kids.

"For all this development, what are we getting back?" D'Amico asked.

D'Amico said about 20 MiMo buildings in Bay Harbor Islands have been torn down in the past two years.

"Another 20 more will go in the next year or so," she said. "They've already been approved."

Preservationists want Bay Harbor Islands to follow the lead set in June by the city of Miami's historic preservation board, which approved a new historic district that will protect a stretch of 1950s motels and other MiMo buildings along Biscayne Boulevard, between 50th and 77th streets. Miami Gardens, Coral Gables and Miami Beach have also made laws to protect MiMo structures.

Preservation often increases the value of designated buildings and qualifies owners for grants and tax rebates on renovations, D'Amico said.

But not everyone agrees. Some fear property owners might suffer from lowered property values if developers are scared off by a historical building.

In historic districts, property owners are required to go before preservation boards regarding renovations to make sure they comply with historic designation.

And some say the buildings aren't worth designation. Bay Harbor Islands Mayor Peter Lynch has complained that many of the buildings are "in a state of disrepair."

Thursday night's rally, attended by 30 people, came on the heels of a recent report surveying the possible historic structures in Bay Harbor Islands.

Of the 200 buildings in the town that are at least 50 years old, more than 30 were identified as worthy of historic designation.

Among them:

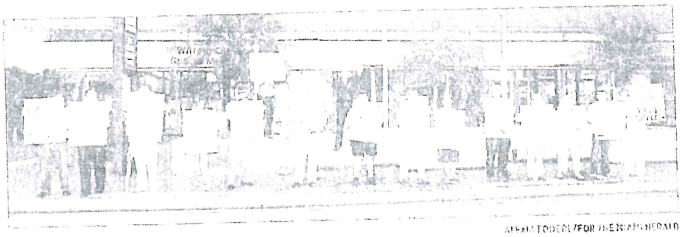
- The 1951 Cargo station on Broad Causeway.
- The 1955 waterfront home of town founder Shepard Broad, located at 9405 E. Broadview Dr.
- The Coral Sea Towers condominiums at 10300 W. Bay Harbor Dr.

None of these structures is in danger of being torn down.

But two apartment buildings on the East Island, at 1150 102nd St. and 1047 92nd St., are in danger of being torn down for future development, preservationists say.

"These buildings represent the aspirations of the American people from a period of time," Dade Heritage Trust president Jay Brandt said.

"And they can't just erase that."



ALEXIS TORRES/FOR THE MIAMI HERALD

SPELLING IT OUT: MiMo activists share their opinion Thursday on Bay Harbor Islands.

Exhibit P6

spa and plush condos, received a blow last week from the Miami Beach Historic Preservation Board.

At its meeting Tuesday, the board overturned a ruling that gave the hotelier permission to build the addition on its oceanfront property, which is

"The hotel is sitting with the windows out waiting for this to work its way through the process," Coole said. "It's costing the Ritz Plaza a very large sum of money."

The Ritz Plaza claimed victory last year when the Historic Preservation Board approved a renovation of the building that included a seven-story addition to the property. The Surfcomber filed a lawsuit citing the city's laws, created in the '90s, that capped the height of oceanfront buildings to five stories.

The court sided with the

their views even though it was totally within the envelope permitted under code," he said. "They're arguing that even a five-story building now is too tall."

The Ritz has building permits to begin the renovation of the existing structure. But

the buildings r

"The proce building perr lengthy, espec toric properties "The expectati hotel would be ary of the co now that's not

BAY HARBOR ISLANDS

Survey cites MiMo treasures eligible for landmark status

*LANDMARKS, FROM 3

Broad's 1955 waterfront house at 9405 East Broadview Dr. But 14 homes are cited as locally significant due to their MiMo traits.

In 1946 Broad, a prominent New York lawyer, ordered two mangrove swamp islands in Biscayne Bay to be dredged and poured with fill to create what is now Bay Harbor Islands. The town was incorporated in April 1947 with Broad as mayor; just months later, the first building permit was applied for.

The Broad Causeway, to connect the West Island to the Miami mainland, was completed in 1951.

Town Planner Michael Miller said he is elated to finally have the survey on hand as he works on the town's comprehensive plan.

"I've been eagerly awaiting this," Miller said. "I really haven't had a good resource until now."

Miller said a next step may be to create a historic board and explore preservation options.

Back under the low afternoon sun in front of Bay Harbor Club, Robinson said he hopes the survey will allow officials and residents in the town to "realize what they have here."

"Preservation isn't a goal — it's a never-ending process," he said. "If one [building] gets knocked down, you leverage that loss into the preservation that remains."

D'Amico nodded in agreement. "People will start to say, 'what's going on?' " she said.

Robinson said that at one time, Palm Springs and Miami Beach were not recognized as the significant "treasure troves" of architecture that they are today.

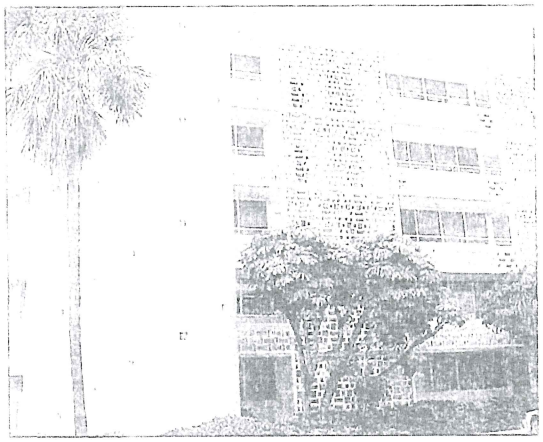
"Just to stand in one place and see six buildings that are all MiMo," said D'Amico, waving her hand around her to encompass the entire East Island, "is unique."

"There's no place like this," Robinson chimed in.

A resident wanders outside

to inspect the of his build resident Geo happily expl drawn to the design and front view.

"I just love scanning ov "It's beautifu



ANGELO SEMERARO/FOR THE MIAMI HERALD

A COLORFUL GLASS GEM: Too new to be surveyed, Bay Harbor Continental, 1135 103rd St., Bay Harbor Islands, is among dozens of MiMo buildings in the town.

SMART BOX

DESIGNATING A NATIONAL LANDMARK

Five Bay Harbor Islands properties are noted eligible for nomination into the National Register Historic Places, which provides incentives to historic structures. They are:

- Bay Harbor Club, 1155 103rd St.
- Bay Harbor Towers, 10141-43 East Bay Ha
- Coral Sea Towers, 10300 West Bay Harbo
- Citgo station, 1501 Broad Causeway.
- Town founder Shepard Broad's 1955 wate at 9405 East Broadview Dr.

According to the register, criteria for inclusi

- The quality of significance in American hi architecture, archaeology, engineering, and present in districts, sites, buildings, structur objects that possess integrity of location, de materials, workmanship, feeling, and associa
- A. That are associated with events that ha significant contribution to the broad patter history; or
- B. That are associated with the lives of pe significant in our past; or
- C. That embody the distinctive character type, period, or method of construction, or the work of a master, or that possess high a or that represent a significant and distinguis whose components may lack individual dist
- D. That have yielded, or may be likely to y information important in prehistory or histo

P 7



Draft Report

Historical Structure Survey
Town of Bay Harbor Islands
Miami-Dade County, Florida

July 19, 2006

Prepared for:
Town of Bay Harbor Islands
Bay Harbor Islands, Miami-Dade County, Florida

Prepared By:
Jared N. Tuk, M.A., Lead Architectural Historian
GAI Consultants, Inc.

GAI Project Number:
C060199.10

gai consultants
transforming ideas into reality

BAY HARBOR ISLANDS

Exhibit I

BREAKING NEWS
Prison worker Joyce Mitchell provided hacksaw blades to murderers who escaped, two law enforcement sources say.

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America's most endangered historic places

By Caitlin Schmidt, Special to CNN
Updated 3:39 PM ET, Mon June 23, 2014



America's 11 most endangered historic places 11 photos

Bay Harbor's East Island, Florida – Bay Harbor's East Island in Miami, Florida, features a collection of Miami Modern buildings, a style of architecture popular from 1945 until the mid 1960s. Development proposals threaten the area with demolition.

1 of 11 Hide Caption

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Caitlyn Jenner cover made some people uncomfortable?

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Prison worker Joyce Mitchell provided hacksaw blades to murderers who escaped, two law enforcement sources say.

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America's endangered historic places

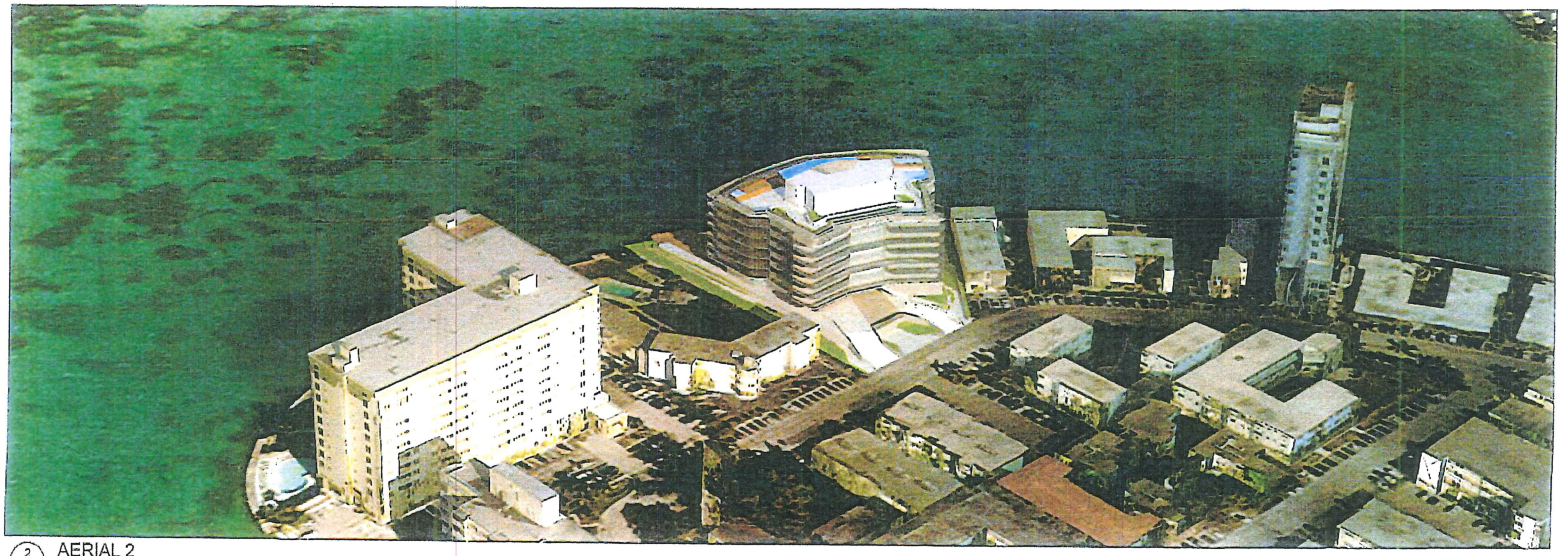
Updated 3:12 PM ET, Mon June 23, 2014



Exhibit J



1 A-002 AERIAL 1
SCALE: 1:2.25



2 A-002 AERIAL 2
SCALE: 1:2.25

revuelta
architecture
international

Miami
Atlanta
Santiago, Chile

DESIGN BY

Luis O. Revuelta
AR 0037972

PROJECT

FLORIDA 03
Bay Harbor Islands, Florida 33154

OWNER INFORMATION

P3 REAL ESTATE
INVESTMENTS
1101 BRICKELL AVENUE,
8TH FLOOR
MIAMI, FLORIDA 33134

DRC
DEVELOPMENT REVIEW
COMMITTEE SUBMITTAL

Revisions

CONSULTANTS

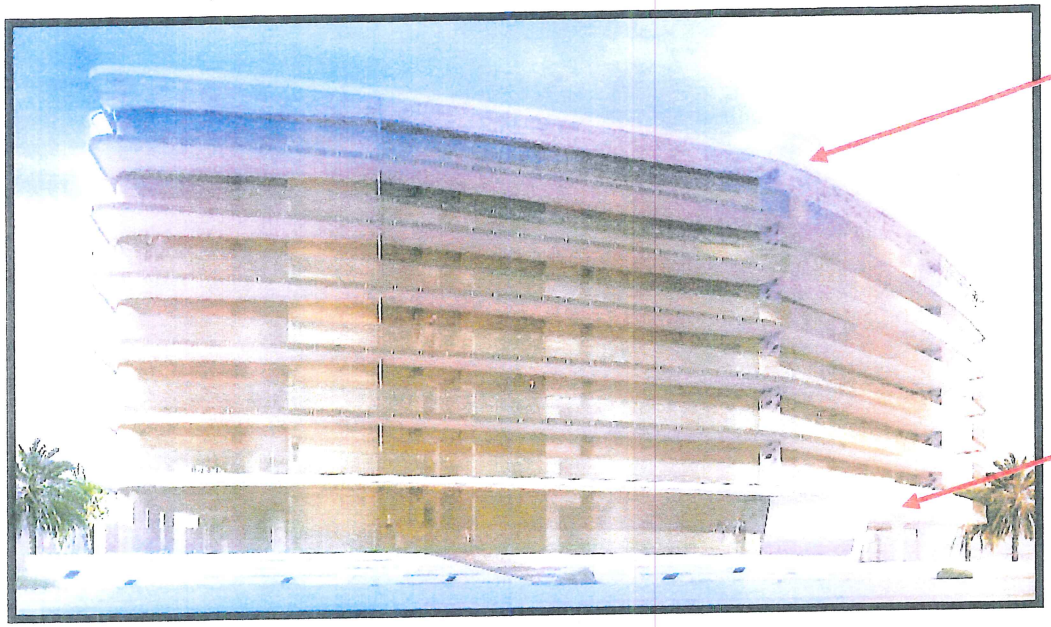
Date
3/25/2015
Drawing

Check by

Scale
As Shown
Project No
#Pin

A-002

DRAFT
P. 1



85’ to the top of the roof slab

Next door-Dexter Building
from grade
To top of roof slab 20’



See proposed elevation 23’
At the first floor level
for residences

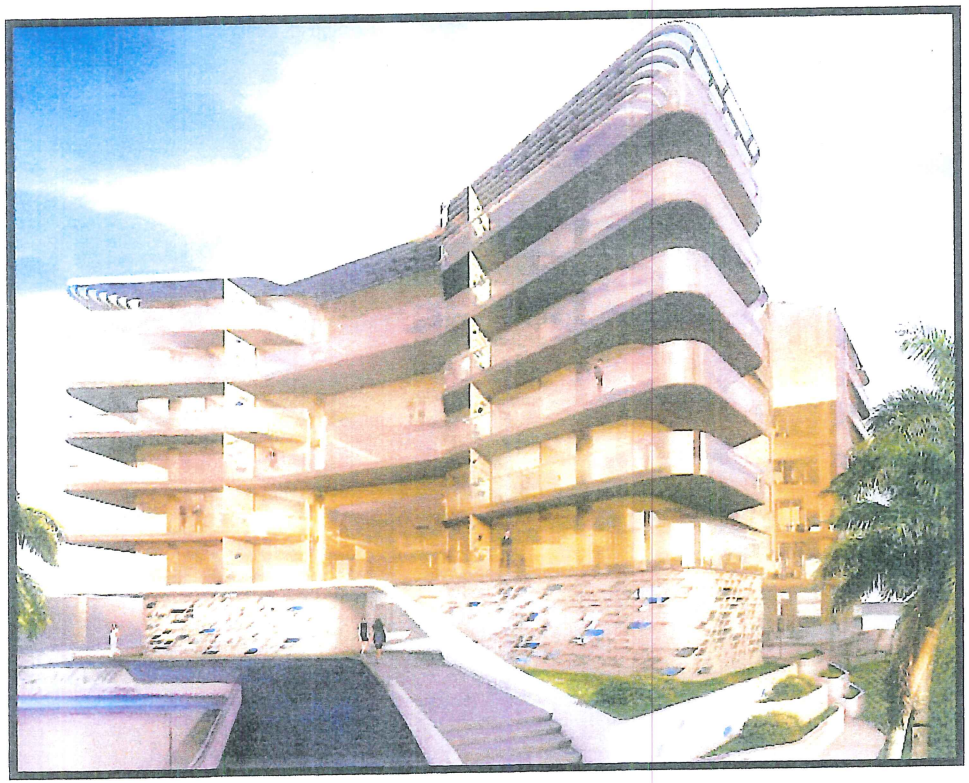




EXHIBIT J
P.2

Exhibit K

Exhibit K

X-1

Petition to Reject Changes to RM3 District Zoning in Bay Harbor Islands

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of historic MiMo buildings. We are also concerned about the commerical component that is currently part of RM-3 Zoning.

Print Name	Signature	Bhi Address	Email	Date
Barrie Bristol	[signature]	9291 West Bay Harbor Dr #8		11/10/2014
Gina Libutti	[signature]	10011 Bay Harbor Terr + 9260 Bay Harbor Terr	GLPharmd@Hotmail.com	
Lisa Libutti	[signature]	1150 103rd St. 1155 102 St.	llibuttiehotmail.com	

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of historic MiMo buildings. We are also concerned about the commerical component that is currently part of RM-3 Zoning.

Print Name	Signature	Bhi Address	Email	Date
Mitchel Darrow	MPD	9101 EBH Dr		11/5
Charles Fisher	C Fisher	9101 EB H Dr		11/5
Karine Aubery	K. Aubery	9104 E. Bay Harbor		11/5
Alexandra Mirli Aubery	AMA	9104 E Bay Harbor		11/5
Kevin Livingston		9101 E Bay Harbor Dr		11.5.14
Lloyd Rubin	Lloyd Rubin	9101 E Bay Harbor Dr.		11/5
Charles Wallach		9101 E. Bay Harbor		11/5
J Gaither		9101 E Bay Harbor Dr		

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
DARRYL BERNHARDY	[signature]	9101 E. BAY HARBOR DR. 206 BHI FL 33154	dbernhardy@outlook.com	11/8/14
Frank Kaltenekker	[signature]	1075 92 St, Apt 404 Bay Harbor, FL	Frankkalty@yahoo.com	11/8/14
Marianne Teuschen	M. Teuschen	9101 E. Bay Harbor. 402 BHI FL 33154		11/8/14
KAROMA Samuel	[signature]	9101 E BAY Harbor Island Fla 33154	CKAROMA208231@gmail.com	11/8/14
JANICE RAUZIN	[signature]	9100 W BAY HARBOR DR 6DE. BHI 33154	janrauzin@yahoo.com	11/8/14
Pedo Relon.	[signature]	9101 E. Bay Harbor Dr I 302	CASAMIA Trattoria@BellSouth.net	
Cristina Livingston	[signature]	Bay Harbor Island FL 33154 1001 91 St #507	Livingstoncris@yahoo.com	11/08/14.
Marilyn Wallach	[signature]	9101 Mediterranean 905 BHI		

Exhibit K

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of historic MiMo buildings. We are also concerned about the commerical component that is currently part of RM-3 Zoning.

Print Name	Signature	Bhi Address	Email	Date
Melissa Angulo		1075 92nd St. # 305 Bay Harbor FL 33154	meliangulo13@aol.com	11/4/2014
BRIGITTE CRANCE		9350 W. BAY HARBOR DR. #2C BAY HARBOR FL. 33154	—	11/4/2014
Juan Calderon		1001 91 street Apt. 307 Bay Harbor Islands Fl. 33154		11/4/14
		1080 94st 505 Bay Harbor Is 33154		11/4/2014
	Edgar Rodriguez	1080-94St #608	redgar41@aol.com	11/4/14
	Elvira Rodriguez	1080-94St #608	Elvirarodriguez@hotmail.com	11/4/14
		9111 E Bay Harbor Dr #6E Bay Harbor Is. FL 33154	dmcker@atlanticbb.net	11/4/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of historic MiMo buildings. We are also concerned about the commerical component that is currently part of RM-3 Zoning.

Print Name	Signature	Bhi Address	Email	Date
Leidys Morgado Colón	[signature]	9260 Bay Harbor Terr. #4	leidys.colon@hotmail.	11/04/14
Robert Colon	[signature]	"	"	"
Nancy Dunn	[signature]		nancy@earthsights.com	11/14
Marlene Dunn	[signature]	9180 W Bay Harbor		11/4/14
David Shulman	[signature]		Dashal@aol.com	
Ian Shulman	[signature]		Ian@earthsights.com	
DAVID CAR	[signature]			
VICTOR CASA	[signature]	9302 E Bay Island Dr #105		11/04/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Johana Abraham		9555 W. Broadview Dr Bay Harbor	JZA@Jachicabraham.com	11/4/14
Peter GARCIA		9101 E Bay Harbor	Petergarcia@me.com	11/4/14
EDUARDO ALVES		1001 91st Street	Alves6Gabriel@hotmail.com	11/4/14
IAN SACHS		435 W BH. DR		11/4/14
Victoria Tipacti	Victoria Tipacti	9250 west Bay harbor		11/4/14
Diane Schwartz	Diane Schwartz	1080-94St #312		11/4/14
Nicole Exilbert		12331 02nd St.	nexelbert@hotmail.com	11/4/14
Torres.		9111 NE 120.	Maritza@dadeschools	11/4/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM-3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise from mechanical equipment, and the demolition of historic MiMo buildings. We are also concerned about the commerical component that is currently part of RM-3 Zoning.

Print Name	Signature	Bhi Address	Email	Date
Christian Kent		1045 94th Street	chris.kent84@yahoo	11/4/14
Maria Rivas Plata		Apt #4D 9300 Bay Harbor Terr.	ARIPLAFish@yahoo.	11/4/14
Silvia Icaza		1075 92 St #505	Lycaza@yahoo.com	10/14/14
Denisse Arteaga		1075 92ST [redacted]		10/14/14
[illegible] Barone	M Barone	1130 93rd		11
Richard Hegdemann		9455 Bay Harbor Terr. 7; 1141 Island 3515	HHR 895 @usa.com	11/4/14
Chris Finn		9291 E. Bay Harbor Dr BI FL 33154	cbf1.1973@yahoo.com	11/4/14
MARK Bar[illegible]		9120 W. Bay Harbor		

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
SHARI SOOKRAM		9101 E Bay Harbor Dr		11/6
JEFF KRAMER		9101 E. Bay Harbor Dr		11/6
TIM MAUCHE	TJ Mauche	9101 E Bay Harbor Dr.		11/6
TONY. WEISBERG		9101 E Bay Harbor Dr.		11/6
Michael Schneider		9101 E Bay Harbor Dr		11/7/14
JACKIE FULLER		9101 E Bay Harbor Dr		11/9/14
M. TIEL	M. Tiel	9101 E Bay Harbor Dr		11/9/14
R Sheil	R. Sheil	9101 E. Bay Harbor Dr		11/9/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Fanny Korman	[signature]	1001 91 St. St. Bay Harbor Island		11/4/14
Roxanne Lusme	[signature]	9300 W. Bay Harbor Dr. BHE		1/4/14
Dulce Terreco	D. Terreo	PO BOX 613361 North Miami, FL 33261		11/4/14
John Lakeans	[signature]	9300 Bay Harbor Terr. 4D Bay Harbor, FL		11/4/14
Jai Kimmel	Ivi KIMMEL	9120 W. Bay HARBOR P.H. Ind. DR		10/04/2014
John Vickers	[signature]	1050 93rd Street 3C Bay Harbor		10/4/2014
Norma Moreno	[signature]	1020 94th St. #403 Miami, FL 33154	me@normanow.com	11/4/2014
ZAK TABAK	[signature]	10350 EAST. BAY HARBOR DRIVE		11/4/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
AMADEE BENDER	[signature]	1025 93 St BHI	amadeebender@gmail.com	11/4/14
Joyce Bender	[signature]	"	joycebender770@gmail.com	"
Daniella Abraham	[signature]	9555 W Broadview Dr. BHI	[illegible]@gmail.com	11/4/14
Samantha Rotgans	[signature]		S Rotgans	11/4/14
Keith Lindsey	[signature]	9341 E Bay Harbor Dr	RKeithLind@gmail.com	11/4/14
ELIZABETH STIFTER	[signature]	9500 W BAY HARBOR DR		11/4/14
Irina Davis	[signature]	9405 Collins	info@irinadavis.com	11/4/14
JEN TABAR	[signature]	10350 E. Bay Harbor Dr.		11/4/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Brenten Kendrick	Brenten Kendrick	9500 West Bay Harbor		11/8/14
Jacob Roman	Jacob Roman	9200 E. Bay Harbor Dr #11		11/8/14
TERI DAMICO	Teri DA	9101 EAST BAY HARBOR #2000		11/8/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
EDUARDO REYNA		1135 101 ST STREET	EDUREYNA@MSN.COM	11/4/14
Lauren Niebury		9270 W Bay Harbor Dr.	lmn30@aol.com	11/4/14
ISABEL KLASSMAN		9200 BAY HARBOR TERR. APT 5C	IKLASSMAN@AOL.COM	11-4-14
Cathy Spinelli		1095 92nd Street	CSpinelli724@gmail.com	11/4/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Eda Velarde	Eda Velarde	1080. 94St #508 Bay Harbor FL33154		11/4/14
Fernando Avila		10000 W. Bay Harbor Dr. PH #5.		11/4/14
YAMila Avila		10000 W Bay Harbor Dr PH 5.		11/4/14

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Carlo Delos Rios	[signature]	#404 10001 West Bay Harbor	CarlodLR@Hotmail	11/04
Annette Zipka	[signature]	9814 W. Broadview Dr	CAFECAT98@AOL.com	11/04
PAOLA VILLEGAS	[signature]	9800 E. BAY HARBOR DR	POLVILLEGAS@YAHOO.COM	11/04

Petition to Reject Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Jan Portman	Jan Portman	9101 E Bay Harbor Dr. #1005 BHI, FL	jportman4@gmail.com	

Petition to Rejects Changes to RM3 District Zoning in Bay Harbor Islands

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Print Name	Signature	Bhi Address	Email	Date
Gustavo Cadavid		1211 96 STREET		OCTOBER 14
HORTENSIA CADAVID		1211 98 Street		11/4/14
Marc Lerner		1281 100 St		11/4/14
IRA T. LEACH		1065 98TH ST #8		11/4/14
Rocio Spurgeon		1165 98th St. Apt 105		11/4/14.
FRANK VARONA		1085 99TH ST. APT 1		11/4/14

Petition to Reject Changes in RM3 District Zoning in Bay Harbor Islands / Planning Meeting Tuesday, October 7th, 2014 at 7pm

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise about the property from mechanical equipment, and the demolition of a historic nature Mimo Architecture building. We are also concerned about the the commercial component that is currently part of RM3 Zoning.

Printed Name	Signature	Address	Date
Neila Douglas	Neila Douglas	1050 93rd St, Bay Harbor Islands FL	11-10-14

Petition to Reject Changes in RM3 District Zoning in Bay Harbor Islands / Planning Meeting Tuesday, October 7th, 2014 at 7pm

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Printed Name	Signature	Address	Date
DEBORAH KLEIN		1050 93rd St #2A BHI.	Nov. 7th 2014
Sherriana Fragni		1050 93 street #30 B.H.I	7, NOV 14
Kareen Dayonian-Rom		1050 93st #3A BHI	Nov 7th
Galina Nasonkin		1050 93st Apt 7F BH	11/7/14
IVO TANEV		1050 93STR APT4G	11/7/14
Katy Garcia	Katy	1050 93RD Apt 41)	11/7/14
VINCENT MATTO		1050 93 # 7-H	11/7/14
MAGALY GARCIA		1050 93 St # 5 I	11/7/14
SYLVIA PIETRASANTA		1050 93st # 3F	10/8/14
Svetlana Cobic		1050 93 St # 3B BHI	11/8/14
Priscilla Kutsukos		02507 99th	11/8/14
Lucy Hale		Hollywood	11/20/14

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Printed Name	Signature	Address	Date
Astrid Navarro	[signature]	1050 93st MBFL 33154	11/8/14
Beverly Stein	Beverly Stein	1025 93 st #1	11/8/14
[illegible]	Marta Valdivia Tucker	9302 E Bay Harbor Dr 33154	11/8/14
Chela Garcia	[signature]	1050 93rd St Apt 4D	~~[illegible]~~ 11/8
Azkady Nosovitsky	[signature]	1050 93rd St Apt 7 G	11/8/14
Diana M Giudice	[signature]	1050 93rd st Apt #7i	11/8/14
Luz A Salgado	[signature]	1050 93rd St Apt #7i	11/8/14
Stephanie G. Martino	[signature]	9800 W. Bay Harbor Dr #209	11/8/14
Lauren Martino	[signature]	1050 93rd st apt 7#	11/8/14
Armando Torres	[signature]	1050 93 St. Apto 69	11-8-14
Digna E. Torres	Digna Torres	1050 93 St. Apto 69	11/8/14
MARIA RIPES	[signature]	1050 93 ST 5 G	11/9/14

NOVEMBER 10th 6:30PM 2014

Petition to Reject Changes in RM3 District Zoning in Bay Harbor Islands / Planning Meeting Tuesday, October 7th, 2014 at 7pm

6

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise about the property from mechanical equipment, and the demolition of a historic nature Mimo Architecture building. We are also concerned about the the commercial component that is currently part of RM3 Zoning.

Printed Name	Signature	Address	Date
AIDA WEKSELBAUM	Aida Wekselbaum	1050 93rd St APT 6 F	11-8-14
Stella Cruz	Stella Cruz	1059 93rd Apt 5-C	11-8-14
Emma Santana	Emma Santana	1050 93 ST	11-8
Eric Matz		1050 93rd #4E	11/8
Ann Martino		1050 93rd ST, 7H, BHI 33154	11/8/14
AMPARO SERRA		1050 93rd St. BHI. 33154	11/8/14
Aziz Saeed		1050 93rd Street, BHI, 33154	11/9/14
Estela Weinstein		1050-93rd St. apt. 4F BHI 33154	11/08/14
LUCIA KELTON		1050 93 Street APT 2E	11/09/14

Petition to Reject Changes in RM3 District Zoning in Bay Harbor Islands / Planning Meeting Tuesday, October 7th, 2014 at 7pm

We, the undersigned, are concerned Residents of Bay Harbor Islands and we urge our leaders to act now to reject changes proposed to RM3 District Zoning. We want to maintain our current standard of living. We love our community and proposed changes will lower our standard of living. Our primary concerns are restricted views, excessive noise about the property from mechanical equipment, and the demolition of a historic nature Mimo Architecture building. We are also concerned about the the commercial component that is currently part of RM3 Zoning.

Printed Name	Signature	Address	Date
ANDRÉS MICHELENA		1050 93RD ST APT. 2H BAY HARBOR ISLANDS	11-09-14
WILSON MONILCA		1050 93 2-6 BAI	10-9-14
DONALD SHAPIRO		1050 93 # 7D	10/9/14

MEMORANDUM

Agenda Item No. 7(A)

(Second Reading 6-30-15)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: April 21, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance related to civil penalties for certain misdemeanor violations; amending sections 21-81, 8CC-5.1 and 8CC-10 of the Code; providing for civil penalties for the commission of certain misdemeanors

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman, and Co-Sponsors Commissioner Daniella Levine Cava and Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

/

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Related to Civil Penalties for Certain Misdemeanor Violations; Amending Sections 21-81, 8CC-5.1 and 8CC-10 of the Code

---

The proposed Ordinance relating to civil penalties for certain misdemeanor violations amending Sections 21-81, 8CC-5.1 and 8CC-10 of the Code, is expected to have a positive impact to the Court System. This ordinance, if implemented, would make certain misdemeanor violators eligible for existing diversion programs, and thus, may reduce the workload within the judiciary.

Based on a report produced by the Corrections Department on February 25, 2015, at the time, with an estimated 4,500 inmates, 59 were incarcerated for only those offences specified in the proposed ordinance. Although there will be savings on the cost of commodities such as food, tableware, uniforms, linens etc. the savings would be minimal and would not reduce the required correctional officer posts due.

Russell Benford
Deputy Mayor

Fis05815

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
✓	**6 weeks required between first reading and public hearing**
✓	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)
6-30-15

ORDINANCE NO. _____

ORDINANCE RELATED TO CIVIL PENALTIES FOR CERTAIN MISDEMEANOR VIOLATIONS; AMENDING SECTIONS 21-81, 8CC-5.1 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CIVIL PENALTIES FOR THE COMMISSION OF CERTAIN MISDEMEANORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Miami-Dade County (the "Board") is given broad authority to enact ordinances under Miami-Dade County's home rule powers and prescribe penalties for violation of such ordinances; and

WHEREAS, section 21-81 of the Code of Miami-Dade County, Florida, (the "Code") is applicable in all the unincorporated and incorporated areas of Miami-Dade County; and

WHEREAS, section 21-81 of the Code prohibits the commission of all acts defined as misdemeanors under Florida Statutes and declares commission of such acts to also be Code violations; and

WHEREAS, upon conviction in court of a Code violation for commission of an act defined as a misdemeanor, misdemeanants shall be punished by a fine or imprisonment in County jail or both, but in no case shall the fine and/or or imprisonment imposed be greater than the maximum fine or penalty for the same offense under the Florida Statutes; and

WHEREAS, currently, a law enforcement officer only has discretion to arrest or not arrest a person for commission of a misdemeanor and/or Code violation; and

WHEREAS, this ordinance provides an additional means under Chapter 8CC of the Code to enforce violations of the Code based on the commission of certain misdemeanors; and

WHEREAS, the Board has an interest in enacting monetary civil penalties for certain violations of section 21-81, as such civil penalties will act as an additional deterrent to such violations and would provide law enforcement with additional options when encountering a misdemeanant who has committed an enumerated offense; and

WHEREAS, for the specific statutes enumerated in this ordinance a law enforcement officer will have the discretion to issue a civil citation and/or arrest or not arrest a person for commission of a misdemeanor and/or Code violation; and

WHEREAS, this ordinance will also allow a violator who has been served with a civil violation notice imposing a monetary penalty for commission of an enumerated misdemeanor to enter the Miami-Dade County Diversion Program, pursuant to Miami-Dade County Implementing Order 2-12 which would allow violators without economic means to satisfy a civil penalty to satisfy the penalty by non-monetary means,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 21-81 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 21-81. Misdemeanor; adoption of State law; penalties.

* * *

(c) All acts defined as misdemeanors in said State statutes are hereby prohibited and declared to be violations of this article and any person or corporation shall, upon conviction in the court of appropriate jurisdiction for violation thereof, be punished by a fine not exceeding five hundred dollars

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

($500.00) or by imprisonment in the County Jail for not more than sixty (60) days, or by both such fine and imprisonment, but in no case shall the fine or imprisonment imposed under this article be greater than the maximum fine or penalty for the same offense under the State statute.

>>(d) The following misdemeanor violations, as such may be amended from time, are eligible to receive a civil violation notice pursuant to chapter 8CC of the Code of Miami-Dade County, Florida, at the discretion of a law enforcement officer, provided that such violations are not charged in conjunction with any charge that is a felony, driving under the influence (DUI), incident involving domestic violence, or violent crime, as those terms are defined under State law:

(1) Florida Litter Law, as set forth in Fla. Stat. section 403.413(6)(b), as such may be amended from time to time;

(2) Illegal Use of Dairy Cases, Egg Baskets, Poultry Boxes, or Bakery Containers, as set forth in Fla. Stat. section 506.509, as such may be amended from time to time;

(3) Trespass on Property Other Than Structure or Conveyance, as set forth in Fla. Stat. section 810.09, as such may be amended from time to time;

(4) Retail Theft by Removal of a Shopping Cart, as defined in Fla. Stat. section 812.015(1)(d), as such may be amended from time to time;

(5) Loitering or Prowling, as set forth in Fla. Stat. section 856.021, as such may be amended from time to time;

(6) Possession of Cannabis in an amount of 20 grams or less, as set forth in Fla. Stat. section 893.13(6)(b), as such may be amended from time to time; and

(7) Possession of Drug Paraphernalia, as set forth in Fla. Stat. sections 893.146 and 893.147(1)(b), as such may be amended from time to time.

An individual issued a civil violation notice for any of the violations listed in this subsection shall be subject to fine in accordance with chapter 8CC of the Code of Miami-Dade County, Florida, and shall be eligible for the Miami-Dade County Diversion Program, pursuant to section 8CC-5.1 of the Code of Miami-Dade County, Florida, and Implementing Order 2-12, or its successor Implementing Order of the Board of County Commissioners.<<

Section 2. Section 8CC-5.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-5.1. Miami-Dade County Diversion Program.

Notwithstanding the provisions of >>section<< 8CC-5, a violator who has been served with a civil violation notice may enter the Miami-Dade County Diversion Program, pursuant to Implementing Order of the Board of County Commissioners, provided the civil violation notice is issued for the violation of an ordinance listed in the table below, which may be amended from time to time.

The "descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the listed Code sections, except to the extent that different types of violations of the same Code section may carry different civil penalties. To determine the exact nature of any activity proscribed or required by this Code, the relevant Code section must be examined.

Code Section	Description of Violation
7-3	Swimming or fishing from prohibited road bridges
8A-172	Conducting business without a local business tax receipt
8A-276(b)	Failure to display commercial vehicle markings
21-28	Producing loud or excessive noise
21-31.2(b)(1), (2)	Alcohol possession or consumption near a store
21-31.4(B)	Obstructing traffic or aggressively begging
>>21-81(d)<<	>>Any one of the specific misdemeanors

	enumerated in section 21-81(d)<<
26-1	Parks violations

Section 3. Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-10. Schedule of civil penalties.

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

The "descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the listed Code sections, except to the extent that different types of violations of the same Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of that section may be enforced by the mechanism provided in this Chapter 8CC, regardless of whether all activities proscribed or required within that particular section are described in the "Description of Violation" column. To determine the exact nature of any activity proscribed or required by this Code, the relevant Code section must be examined.

Code Section	Description of Violation	Civil Penalty

* * *

21-48	Sale and installation of satellite dish antennas to residential customers	500.00
>>21-81(d)<<	>>Any one of the specific misdemeanors enumerated in section 21-81(d)<<	>>100.00<<
21-112	Failure to properly fill an abandon well	100.00

* * *

Section 4. 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 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-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 6. 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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Christopher A. Angell

Prime Sponsor: Commissioner Sally A. Heyman
Co-Sponsor: Commissioner Daniella Levine Cava
Commissioner Audrey M. Edmonson

Summation – Miami-Dade County Uniform (Adult) Civil Citation II

1. Civil citation
    - Avoid alleged offender being arrested and criminal record
    - Police continue to exercise their discretion; civil citation provides additional law enforcement option
    - Does not legalize any of the cited offenses
    - Does not de-criminalize any of the cited offenses
    - Offenses listed on original civil citation form and the proposed additional offenses disproportionally adversely affect low-income, minority, and homeless individuals
    - In lieu of a fine, individuals cited can do community service
    - In lieu of receiving a civil citation, a person can request arrest
    - Marijuana possession citation does not impact driver's license; a conviction for marijuana, however, will result in up to one year driver's license suspension
    - Citation does not equal arrest; no negative bearing on school admissions, scholarships, military service, bonded jobs, etc.
    - Citation offenses do not cover use of marijuana
2. Civil citations in lieu of arrests is not a new concept
    - 2001-2002: juvenile citations pilot program was implemented in Miami-Dade County with Director of the Miami-Dade County Juvenile Services Department Wansley Walters (and is now used statewide); sponsored then by Florida State Representative Sally Heyman
    - 2010: adult civil citation offenses for 8 non-violent misdemeanor offenses; sponsored by Commissioner Sally Heyman
    - 2015: proposal of additional adult civil citations for 7 non-violent misdemeanors offenses
3. Data collection
    - Data available on both A-form arrests and existing citations (to included future offenses as well), as well as Department of Corrections booking and incarceration
    - Citation form already has space for gender, race, date of birth, and other demographics (removal of name and address to be done for public records requests)
4. Cost savings
    - Saves tens of thousands of people from being arrested and having arrest records
    - Saves all Miami-Dade Criminal Justice System stakeholders tens of millions of dollars, plus resources and manpower

*ALL Criminal Justice Stakeholders have been part of the drafting process for the 2015 additional Civil Citation legislation through the Dade-Miami Criminal Justice Council and Public Safety Coordinating Council by working together with Commissioner Heyman.

2010 Civil Citation Issuance Form

MIAMI-DADE COUNTY UNIFORM CIVIL VIOLATION NOTICE

G 141834

Case Number: PD	Officer-Last, First Name	Badge#	Dist

Violator – Last, First Name	Race - Sex - DOB	Records [ ] QRU
SAMPLE		

Address: Street, City, State, Zip			

Height	Weight	Hair	Driver's License #

THIS NOTICE SUMMONS YOU TO ANSWER THE COMPLAINT THAT AT

(Time) _____ AM / PM ON (Date) _____, 20_____

AT (Location) _____

YOU COMMITTED A MIAMI-DADE COUNTY CODE VIOLATION TO WIT:

[ ] 7-3	Swimming or fishing from road bridges	**($25 FINE)**
[ ] 8A-172	Conducting business without local business tax receipt	**($100 FINE)**
[ ] 8A-276(b)	Failure to display commercial vehicle markings	**($200 FINE)**
[ ] 21-28	Producing loud or excessive noise	**($100 FINE)**
[ ] 21-31.2(b)(1)	Consumption of alcohol/open container near store	**($100 FINE)**
[ ] 21-31.2(b)(2)	Possession of alcohol in open container near store	**($100 FINE)**
[ ] 21-31.4	Aggressive or obstructive panhandling	**($100 FINE)**
[ ] 26-1	Park violation (specifically) _____	**($100 FINE)**
[ ]	Other _____	

ADDITIONAL DETAILS OR COMMENTS: _____

_____

_____

YOU SHALL:

1) PAY THE CIVIL PENALTY OF $ _____ PLUS A **$10** SURCHARGE (PURSUANT TO COUNTY ORDINANCE 99-55) TOTALING $ _____ BEFORE 30 CALENDAR DAYS* AND IF CHARGED WITH 8A-276(b) OR 8A-172, PROVIDE PROOF OF CORRECTION ON OR BEFORE 30 CALENDAR DAYS*; **OR**

2) YOU MAY REQUEST AN ADMINISTATIVE HEARING BEFORE A HEARING OFFICER TO APPEAL THIS VIOLATION NOTICE ON OR BEFORE 20 CALENDAR DAYS*; **OR**

3) REGISTER IN THE MIAMI-DADE COUNTY DIVERSION PROGRAM**

***(SEE ADDITIONAL INSTRUCTIONS ON REVERSE SIDE OF THIS NOTICE)**

FAILURE TO PAY THE CIVIL PENALTY AND CORRECT THE VIOLATION OR FILE A REQUEST FOR AN ADMINISTRATIVE HEARING BY THE DATES INDICATED SHALL CONSTITUTE A WAIVER OF YOUR RIGHT TO A HEARING AND SUCH WAIVER SHALL CONSTITUTE AN ADMISSION OF THE VIOLATION. EACH DAY OF CONTINUED VIOLATION AFTER THE TIME PERIOD FOR CORRECTION SHALL BE DEEMED A CONTINUING VIOLATION SUBJECT TO ADDITIONAL PENALTY IN THE SAME AMOUNT WITHOUT THE NEED FOR ISSUANCE OF AN ADDITIONAL CIVIL VIOLATION NOTICE.

SERVICE OF NOTICE – PERSONAL I ACKNOWLEDGE RECEIPT OF THIS CIVIL VIOLATION NOTICE. I ALSO UNDERSTAND THAT ACCEPTANCE AND SIGNING OF THIS VIOLATION NOTICE IS NOT AN ADMISSION OF GUILT.

VIOLATOR'S SIGNATURE:_____

OFFICER'S SIGNATURE: _____

CLERK'S OFFICE

(32.01.024-400)

(Right Thumb Print)

MDCR Countywide Bookings - April 2015 (Civil Citation II offenses)

Charge	Code	Count
Illegal Use of Dairy Cases, Egg Baskets, Poultry Boxes, or Bakery Containers	DAIRY CASE/UNLAW USE	1
Trespass on Property other than Structure or Conveyance	TRES PROP/AFTER WARN	216
Retail Theft by Removal of a Shopping Cart	SHOPPING CART/POSN	1
	PETIT THEFT	183
	PETIT THEFT 1D	47
Loitering or Prowling	LOITERING OR PROWL	42
Possession of Cannabis (less than 20 grams)	CANNABIS/POSN/0-20	290
Misdemeanor Possession of Cannabis	MARIJUANA/POSSESSION	1
Possession of Drug Paraphernalia	DRUG PARAPHERNA/POSN	37
Florida Litter Law (misdemeanor)	FLORIDA LITTER LAW	1
Total Arrests (for crimes covered by Civil Citation Ordinance)		819

Cannabis Charge	Code	Count
Misdemeanor Possession of Cannabis (All)	CANNABIS/POSN/0-20	291
Misdemeanor Possession of Cannabis (Black males)	CANNABIS/POSN/0-20	126
Felony Possession of Cannabis (All)	CANNABIS/POSN/20+	17
Felony Possession of Cannabis (Black males)	CANNABIS/POSN/20+	5
Total Arrests (for cannabis possession)		308

Estimate of Annual Savings after Adult Civil Citation II Expansion		
Component	Actual Calculation	Conservative Estimate
Jail costs	$156 per person per day	$150 per person per day
Average month	30 days per month	30 days per month
Monthly bookings for civil citation crimes (800-1000)	1000 persons per month	800 persons per month
Year	12 months per year	12 months per year
Estimated annual savings	$56 million	$43.2 million
Annual savings would total in the tens of millions of dollars.		

STATE OF FLORIDA
ELEVENTH JUDICIAL CIRCUIT
LAWSON E. THOMAS COURTHOUSE CENTER
175 N.W. FIRST AVENUE, SUITE 3045
MIAMI, FLORIDA 33128
TELEPHONE (305) 349-5720

BERTILA SOTO
CHIEF JUDGE

MARITZA M. DE PAUL
JUDICIAL ASSISTANT

April 21, 2015

Commissioner Sally Heyman
District 4
Stephen P. Clark Center
111 NW 1st Street, Ste. 220
Miami, FL 33128

Dear Commissioner Heyman:

My apologies to you and the Commissioners that I could not be there in person to address this issue. I know that it has been discussed at the Dade Miami Criminal Justice Council and that Judge Nushin Sayfie and Judge Sam Slom, the Administrative Judges of the Circuit & County Criminal Divisions have been present and participating in these discussions.

I am also aware and applaud the civil citation program that is already in existence. I know that it is cost efficient and it helps many of members our community. To that end, I support the expansion of the civil citation program. And I support the fact that discretion for the program would continue to lie with our police officers on the street making the arrests who are in the best position to know whether an arrest or a citation is appropriate, presuming other guidelines have been met. I am confident that with the continued efforts of our fellow stakeholders we will be able to achieve this goal shortly.

Sincerely,

Bertila Soto

cc: Nushin Sayfie, Administrative Judge Circuit Criminal
Samuel Slom, Administrative Judge County Criminal

STATE OF FLORIDA
ELEVENTH JUDICIAL CIRCUIT
COUNTY COURT OF DADE COUNTY

SAMUEL J. SLOM
ADMINISTRATIVE JUDGE
COUNTY COURT, CRIMINAL DIVISION

RICHARD E. GERSTEIN
JUSTICE BUILDING
1351 N.W. 12TH STREET
MIAMI, FLORIDA 33125

June 4, 2015

Commissioner Barbara Jordan
Chair, Metropolitan Services Committee
Miami Dade County Commission
111 N.W. 1st Street
Miami, FL 33128

Dear Commissioner Jordan and Committee Members:

I am writing to express my enthusiastic support of the expansion of the civil citation program. I regret that I cannot convey my thoughts in person but I will be in Orlando at a judicial educational conference on the date that this matter is set for discussion.

From 1991 to 1996, as an Assistant State Attorney, I was in charge of supervising the Office of the State Attorney's County Court Criminal Division prosecutors. From 1996 to 2001 I served as a judge in the County Court Criminal Division. Since 2001, I have served as the Administrative Judge in charge of the County Court Criminal Division overseeing all misdemeanor operations. Summarizing, for the past 24 years, most of my legal career has involved overseeing the Criminal Division of County Court – first as a prosecutor and currently as a judge. During this period I have seen many lives adversely affected by the mere filing of a criminal charge – even when the charges are subsequently dropped.

When an officer charges an individual with a misdemeanor offense, the consequences for that individual – both direct and collateral consequences - can be rather dramatic. It could lead to the loss of one's current employment, the denial of future employment, rejected college applications, delay or denial into military service and possibly factor into deportation proceedings. The collateral consequences of criminal prosecution are equally devastating to many. For example, court costs on misdemeanor cases and criminal traffic cases have risen dramatically - far beyond minimum wage and cost of living increases.

Those who fall behind on paying their costs or tickets have their driving privilege suspended. For many, the inability to drive results in the inability to work. The inability to work leads to evictions or foreclosures. That is not good for the individual, their family members or for the residents of Miami-Dade.

The taxpayers of Miami-Dade will also benefit from the expansion of the civil citation program:

- Fewer bookings into the jail results in less expenditures to care for those booked into jail. This results in savings that otherwise might be expenditures. Food and clothing are obvious costs that would be reduced. Less obvious but equally significant are health care/dental costs that could be avoided altogether for those who are not charged criminally.

- Savings to law enforcement would also result from expansion of the civil citation program. By issuing a civil citation, officer travel time to jail is avoided as well as other expenses associated with a criminal case, such as reduced court appearances for depositions, motions and trials. Expenditurse for officer overtime would also be reduced by expansion of the civil citation program.

In closing, the expansion of the program makes sense. Not only is it cost efficient but nothing is lost by doing so. Discretion whether to charge someone civilly/criminally would continue to rest with the law enforcement officers who are in the best position to know which alternative is prudent under the circumstances. The expansion does not reduce police enforcement power – it adds to that power by giving law enforcement multiple charging options. We should not forget that currently, in most circumstances, officers have the discretion not to file charges at all. The civil citation option is a wise, "middle of the road" approach, an option for the officer who is currently provided with only two choices – file a criminal charge or file nothing at all.

Sincerely,

SAMUEL J. SLOM
ADMINISTRATIVE JUDGE
COUNTY COURT JUDGE

cc: Commissioner Sally Heyman, Vice-Chair

STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
E. R. GRAHAM BUILDING
1350 N.W. 12TH AVENUE
MIAMI, FLORIDA 33136-2111

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

TELEPHONE (305) 547-0100

May 29, 2015

The Honorable Kionne McGhee
Florida House of Representatives
Representative District 117
Cutler Bay Town Hall
10720 S.W. Caribbean Blvd.
Suite 225
Cutler Bay, Florida 33189

Dear Representative McGhee:

As a follow-up to our conversation on Friday, May 22, 2015, I want to once again congratulate you for your leadership in organizing a community meeting to discuss the importance of healthy relations between our community and their police. You know that we here at the State Attorney's Office are not only fond of you but proud of your commitment to serving our community with vigor and wisdom. As I lamented to you on the phone, I was already obligated for this Friday evening and with such short notice I was unable to reorganize my commitment. Nonetheless, two of the brightest and most knowledgeable members from our Community Outreach/Prosecution Department; Assistant State Attorney Etta Mills, and Janeen Jones will be there.

As you are, of course, fully aware our office has no authority over police practices and operations, so I am pleased to see that my friend and colleague, J.D. Patterson will be present. He is best qualified for such a police practices discussion. Nonetheless, our office can play a supportive and educational role regarding the criminal justice system and we are happy to do so.

My office and I have coordinated or attended numerous meetings in many neighborhoods throughout Miami-Dade County with pastors, crime watch and homeowner groups, Community Relations Board members, and community leaders. I feel that such meetings are essential to creating the relationships and the mutual respect necessary to support every community's desire for safety and effective policing. We have many more community meetings planned in the months to come, and hope you will join us, as your schedule permits, Kionne.

As you specifically raised the issue, our office has a long record of leading the course of supporting the use of civil citations as an alternative option to arrest when appropriate.

I know that you are aware that we were the actual authors of the civil citation legislation for particular juveniles.

1995 We authored and advocated for change to Florida Statutes for the use of civil citations in lieu of arrest of juveniles in schools and in neighborhoods.

2006 Our office participated in the writing of the grant for funding to bring civil citations to juveniles beyond the schools and to police departments countywide. The first cases were received in early 2007. As a result of the juvenile civil citation referrals there have been over 16,000 fewer juvenile arrests since inception.

2010 We instituted a civil citation process for possession of marijuana on college campuses. To date the University of Miami is participating in the program. The other local universities and colleges have not yet seized the opportunity of this program, but we continue to work with them.

2010 In conjunction with Director Loftus and the County Commission (particularly Commissioner Sally Heyman) we began the civil citation program for ordinance related violations/misdemeanors. I assigned a senior lawyer to approve their compliance with diversion as referred to us by Yvonne Duran of the Miami-Dade Police Department. This accounts for about approximately 5,200 citations countywide per year; or approximately 26,000 fewer arrest since inception.

2013 We worked with the Deputy Chief and the Police Legal Advisor for the City of Miami Gardens on the creation of a Pre-Arrest Diversion (PAD) Program for 1st time offenders. PAD is applies to misdemeanors that are non-domestic related. Several other offenses are excluded including weapons offenses, sex offenders, criminal mischief, stalking and loitering and prowling.

2014-15 My office with other stakeholders began exploring the expansion of Miami-Dade County's civil citation program described above. Many additional misdemeanor crimes were selected. We helped and were happy to include possession of marijuana and other misdemeanors. I had two reservations reference trespass after warning and loitering and prowling. But, Director Patterson was comfortable with including them and, therefore, so am I.

Again, Kionne, thank you for allowing us to participate. Please keep in touch with me. I hope this brief outline is helpful.

Sincerely,

KATHERINE FERNANDEZ RUNDLE
State Attorney

KFR:dsk

cc: Chief Judge Bertila Soto, Eleventh Judicial Circuit of Florida
Judge Nushin Sayfie, Administrative Judge Circuit Criminal Division
Honorable Miguel de la O, Circuit Court Judge
Dwight Bullard, State Sentator
Carlos Martinez, Public Defender
Eugene Zenobi, Criminal Conflict and Civil Regional Counsel
Director J. D. Patterson, Miami-Dade Police Department
Commissioner Sally Heyman, Miami-Dade County
Dr. Walter T. Richardson, Chairperson, Community Relations Board
Ruban Roberts, Criminal Justice Chair, Miami-Dade Branch of the NAACP
Howard Simon, Executive Director, ACLU
Michelle Richardson, Director of Public Policy, ACLU
Rev. Alfonso Jackson
Rev. Robert Brooks
Rev. Joe Turner
Dr. Curtis Thomas
Dr. Anthony Reed
Rev. Carlos L. Malone, Sr.
Pastor Angela Giles

Campa, Ian M. (DIST4)

Subject: 2 TV Shows Covering Civil Citations

This Week in South Florida 06/14/15 (Michael Putney and Glenna Milberg)
http://www.local10.com/news/this-week-in-south-florida-june-14/33574482

Facing South Florida 06/14/15 (Jim DeFede)
Part I: http://miami.cbslocal.com/2015/06/14/facing-south-florida-miami-dade-pot-laws-part-i/
Part II: http://miami.cbslocal.com/2015/06/14/facing-south-florida-miami-dade-pot-laws-part-ii/

Jun 16, 3:26 PM EDT

Largest Florida county proposes citations for pot possession

By MARISOL MEDINA

Associated Press

MIAMI (AP) -- People caught with small amounts of marijuana could soon get a civil citation instead of a jail term in Florida's largest county, which may become the first in the state to treat marijuana possession as a non-criminal act.

The Miami-Dade County Commission is considering a proposal to let police issue $100 civil citations for possessing small amounts of marijuana as an alternative to a misdemeanor arrest.

The proposal, approved by a committee last week, will go before the full commission June 30. If it passes, Mayor Carlos Gimenez will have the final say. The ordinance would also cover such low-level offenses as loitering, littering and shopping cart theft.

County Commissioner Sally Heyman said her measure seeks to spare people a criminal record for possessing less than 20 grams of marijuana and would reduce the economic burden on the criminal justice system. Heyman said the county spends about $43 million a year to arrest and process minor marijuana cases and the other low-level offenses. She said issuing citations instead would allow the county to use that money for other projects. She would also support a statewide effort to do the same.

"We give people who make a mistake a chance and we don't label them and put them into a system with extreme violent characteristics," she said.

Heyman said police officers would still have discretion to make arrests under the state misdemeanor possession statute, which calls for a maximum fine of $1,000 and up to a year in jail. They would have to press misdemeanor charges if the possession is connected to crimes such as driving under the influence and domestic violence.

Commissioner Javier Souto, the only committee member to vote against the proposal, called it "decriminalization" and said it is a "slippery slope" that could lead to a future of similar tolerance with drugs like heroin and cocaine.

"This is the easy way out," he said. "The effort should be made in education that addiction is bad."

Heyman was adamant the measure will not decriminalize marijuana in the county, where she said possession will continue to be illegal. But she said it could spare many, especially minorities, the lifelong penalties that come with a criminal record.

Paul Armentano, deputy director of the National Organization for the Reform of Marijuana Laws, said the proposal amounts to decriminalization in his view. He added that similar laws have already been enacted in 14 states.

"The majority of the public believes that criminalization of cannabis is a disproportionate punishment to behavior that is at its worst a public health concern and not one that should be a criminal justice concern," he said.

He said the enforcement of marijuana laws tends to disproportionately fall upon blacks, Latinos and young people. A 2013 report by the American Civil Liberties Union found that blacks are almost four times more likely than whites to be arrested for marijuana possession.

Armentano said leaving enforcement to police discretion could be a problem because it could vary dramatically between officers, but Miami Beach Police Chief Dan Oates is already preparing guidelines as his city gets ready to adopt a similar measure. Oates' policy will call for arresting people who smoke marijuana in public, possess it while in a vehicle or have marijuana that appears to be intended for sale.

"The one thing I don't want is one cop writing a ticket and the other arresting," he said.

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OPINION

JOHN S. KNIGHT (1894-1981) ALEXANDRA VILLOCH, PUBLISHER | AMINDA MARQUES GONZALEZ, EXECUTIVE EDITOR | NANCY ANCRUM, EDITORIAL PAGE EDITOR JAMES L. KNIGHT (1909-1991)

MIAMI HERALD | EDITORIAL

Snuff marijuana arrests

OUR OPINION: Miami-Dade Commissioner Heyman proposes civil citations in some cases — a sound idea

Government should not be in the business of ruining people's lives for making ill-considered mistakes and minor infractions — especially if such residents don't have a lot going for them in the first place.

That's why approving Miami-Dade County Commissioner Sally Heyman's proposal to give police the discretion to give people a $100 fine instead of arresting them for carrying less than 20 grams of marijuana is the next step her colleagues should take to decriminalize violations.

Such infractions, barring a complicating factor, shouldn't not clog up our courtrooms, drain county revenue and leave someone with an unwarranted criminal record. That one slip can become a roadblock to getting a job, joining the military or getting a scholarship — in short, getting on the right track.

Ms. Heyman's proposal comes before the commission's Metropolitan Services Committee on Wednesday. Committee members should agree to pass it on to the full commission.

Right now, misdemeanor marijuana possession brings a possible one-year jail sentence. Police officers currently can decline to arrest someone for minor-marijuana possession, but the charge still requires the person to appear in criminal court. With a civil citation, the case never enters the criminal system.

It should come as no surprise that low-income minority communities, where higher crime rates bring greater police presence, bear the brunt of arrests for misdemeanor marijuana possession. And that's one of the reasons that Ms. Heyman rightly believes change is needed.

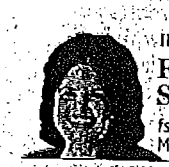
"For God sakes, you're destroying lives before they realize they made a mistake. An arrest could chill opportunities," she told the Editorial Board. "Our jails need to hold the worst, those who threaten public safety or are a flight risk, that's it! A guy smoking a joint at Ultra should not be held with a rape suspect." Well said.

According to Jim DeFede, of Herald news partner CBS 4, whose series *Race Matters: Policing by the Numbers*, has thrown a harsh and effective spotlight on how police can move in over-aggressively on African-American communities — alienating law-abiding residents who might otherwise be on their side — an ACLU study found that even though blacks and whites use pot at the same rate, blacks are more like to be arrested. Which brings us back to that "guy smoking a joint" at Ultra. The music events draws a not-very-African-American crowd of revelers, and police, no matter the jurisdiction, likely will be more inclined to cut them a break. Racism? Not necessarily. Bias toward someone most like the cop? Definitely.

As Ms. Heyman's proposal moves forward — as it should — it is imperative that it include the requirement to collect data about who gets a citation and who gets arrested and why. Sad to say, few would be surprised that the "good kid" with a joint in King's Bay gets the fine and the low-income kid walking down the street in Goulds — who similarly might not have a criminal record — gets the handcuffs.

Given that the police department is on board with this initiative, it should be just as willing to be held accountable. Already as a result of the DeFede series, Miami-Dade Police Director J.D. Patterson has pledged to sharpen the department's focus on the correlation — and disparities — of race and arrests.

Marijuana has been called a gateway drug. Unfortunately, for too many African-Americans, it's been a gateway drug to the criminal justice system, often unfairly.



IN MY OPINION

Fabiola Santiago
fsantiago@MiamiHerald.com

Marijuana proposal a good start

The conversation about the decriminalization of small-time marijuana possession is evolving in South Florida, and here's hoping that it becomes more rooted in reality, and most importantly, more non-partisan.

The medical profession has already chimed into the discussion, endorsing the use of medical marijuana to assuage the pain of certain conditions and the side effects of treatments. I know a young man in Miami with cancer who had medical marijuana prescribed to help with the nausea caused by chemotherapy and it was no more of a big deal than using pain medication for an injury. "It made such a big difference to the quality of his days," his caretaker told me. "Nothing else we tried before worked to stop the vomiting and the nausea."

Science and law enforcement have always been good partners, and so, it's welcome news to learn that the criminal justice leadership in Miami-Dade, too, has taken a deeper look at how people caught in possession of misdemeanor amounts of marijuana should be treated — and is endorsing a more sensible approach.

Instead of an arrest and a criminal charge for possession of less than 20 grams of marijuana that mark a life forever, a $100 civil fine could be levied by police as an option, under a proposal sponsored by Miami-Dade Commissioner Sally Heyman to be discussed Wednesday by a County Commission committee. The Miami Beach City Commission is also considering making the same change.

Marijuana possession is the No. 1 reason "people who are poor, unlucky or disenfranchised" are imprisoned in Miami-Dade at a cost of $156 a day, clogging and taxing a criminal system that needs to focus resources on people who pose public safety and flight risks, Heyman told me Friday.

"At the end of the day, even if a marijuana possession arrest gets dismissed, they still have a criminal record and an arrest that would hurt them get into college, the military, or get a job," perpetuating the cycle of poverty, Heyman said. "The basic inquiry is not 'have you been convicted?' but 'have you been arrested?' "

The civil fine option allows police flexibility to give people "second chances," a strategy that has proved successful in the past with juvenile first-offenders and with other minor offenses for adults such as swimming or fishing off a

• TURN TO SANTIAGO, 2B

FABIOLA SANTIAGO

Proposal to curb pot-possession arrests a good start

• SANTIAGO, FROM 1B

bridge, panhandling, or drinking from an open container near a store, Heyman said.

My only concern: That white people will get a fine, but people of color will still be arrested.

Heyman says she trusts law enforcement to fairly exercise options and that sensitivity training has come a long way.

Her proposal also calls for the civil penalty option for petty crimes like shoplifting cart theft, but it's the marijuana inclusion that's attracting attention.

While she would've been grateful to be able to lessen her mother's suffering with the use of medical marijuana during her struggle with cancer, Heyman said, this proposal didn't come out of a desire to legalize marijuana, but from hard-nosed research about what makes sense from a community and criminal-justice perspective. The savings: $45,000 a day if you consider the number of people arrested and how long they stay in jail for lack of bond money.

Whatever the approach, let's bring less politics and more common sense to the marijuana issue. These local proposals are a good start.

MIAMI-DADE COUNTY

Pot smokers may get fine in lieu of arrest under proposal

A plan before Miami-Dade commissioners would give officers the option of issuing a civil citation for possession of 20 grams or less of marijuana.

BY DOUGLAS HANKS
dhanks@MiamiHerald.com

Possessing misdemeanor amounts of marijuana in Miami-Dade County could bring a $100 fine instead of a criminal charge under a new proposal backed by police brass.

County Commissioner Sally Heyman is sponsoring the plan, part of a larger change to how the county classifies offenses that tend to ensnare low-income residents, like theft of shopping carts and loitering.

If adopted by the commission and not vetoed by Mayor Carlos Gimenez, the new ordinance would let officers issue a civil citation to someone carrying less than 20 grams of marijuana, about two-thirds of an ounce. That's about how much would fit in a sandwich bag — or enough to produce about three dozen joints — and the amount that determines a misdemeanor.

Misdemeanor marijuana possession currently carries a possible maximum one-year jail sentence. Officers currently have the option not to arrest someone for minor-marijuana possession, but the misdemeanor charge would still bring a requirement to appear in criminal court. With a civil violation, the case wouldn't enter the criminal system.

"It allows us to give someone a break," Heyman said. "It doesn't destroy somebody's life because they smoked a joint at a concert, or had a pipe in their pocket."

Officers in Miami-Dade would have the option to issue a citation or proceed

• TURN TO MARIJUANA, 2B

MIAMI-DADE COUNTY

Plan would curb pot arrests

• MARIJUANA, FROM 1B

with an actual arrest under the existing misdemeanor law. It's part of a national effort to free-up police resources by moving minor marijuana arrests out of the criminal system.

"We helped draft and support this effort as a discretionary option for misdemeanor marijuana," said Juan Perez, deputy director of the Miami-Dade Police Department. "This gives the option to go with a citation for those individuals that may have no record, or only a minor criminal history, [and] stay out of the criminal justice system."

Heyman's proposal goes before the commission's Metropolitan Services Committee Wednesday afternoon.

If it passes, the full 13-member commission would take it up later in the summer.

State law allows local jurisdictions to treat some misdemeanors as civil offenses, and Miami-Dade would add misdemeanor marijuana possession to that list, Perez said.



GLEN STUBBE/AP

POT PROPOSAL: A proposed change in Miami-Dade law would give officers the option of issuing civil citations for possessing 20 grams or less of pot.

Plan to fine for pot offense advances in Miami-Dade

Police would still have the option to arrest for misdemeanor pot possession under a proposal that won preliminary approval in Miami-Dade.

BY DOUGLAS HANKS
dhanks@MiamiHerald.com

A proposal to issue $100 citations for marijuana possession in Miami-Dade cleared a legislative committee on Wednesday, moving Florida's largest county closer to taking pot offenses out of the criminal system.

The legislation — which was approved 5-1 by the County Commission's Metropolitan Services panel — would still allow police throughout Miami-Dade to arrest someone with 20 grams or less of pot on a misdemeanor charge. But the proposal would rewrite county law to give officers the option of issuing a civil citation instead, an action that would let the offender pay a $100 fine or work off the penalty with two days of community service.



SPONSOR: Dade Commissioner Sally Heyman speaks during a committee hearing on her proposal for new rules that would give officers the option to fine pot smokers.

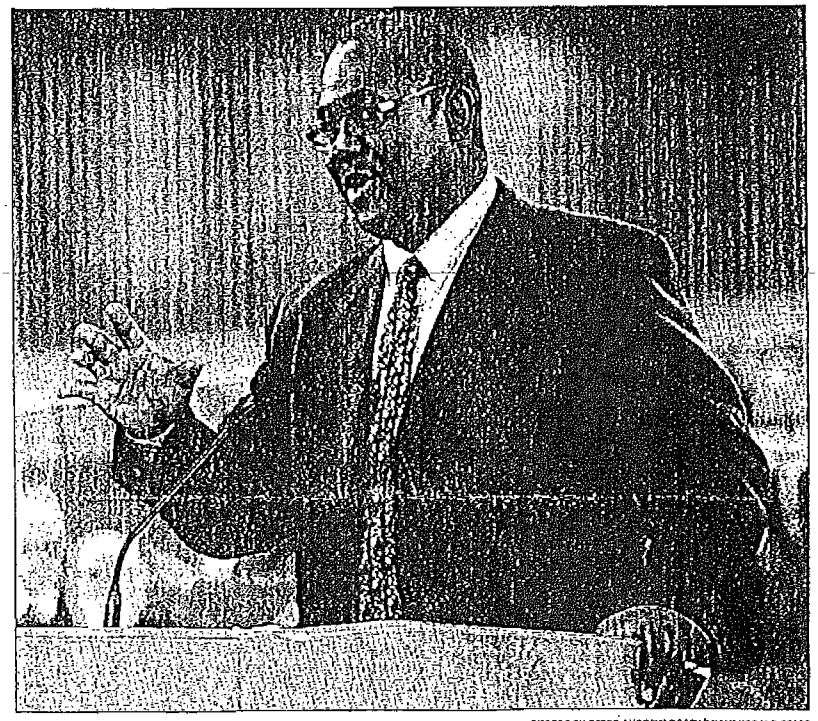
Officers currently have the choice of simply not arresting people caught with a misdemeanor amount of pot, or issuing criminal charges that can result in as much as one year in jail. "Right now, it's let go completely or arrest," said Commissioner Sally Heyman, the sponsor of the legislation. "This will give a middle alternative."

Only one commissioner, Javier Souto, voted against the proposal, with Jose "Pepe" Diaz, Audrey Edmonson, Barbara Jordan, and Juan C. Zapata joining Heyman on the Yes side. A final vote by the full 13-member commission is scheduled for June 30, and then it would go to Mayor Carlos Gimenez for a possible veto.

Heyman's plan follows a national trend toward decriminalizing marijuana, with 15 states treating marijuana possession as a civil offense akin to littering and loitering. Miami Beach commissioners gave preliminary approval to similar rules on Wednesday, which would leave the city with looser

• TURN TO MARIJUANA, 2B

MIAMI-DADE COUNTY



PHOTOS BY PETER ANDREW BOSCH/MIAMI HERALD STAFF

POLICE BACKING: J.D. Patterson, Miami-Dade's police director, supports a proposal to let county officers issue a $100 citation for misdemeanor pot possession during Wednesday's meeting.

• MARIJUANA, FROM 1B

marijuana penalties if the county ordinance should fail.

"I believe this is an effort from our pragmatic progressive city to move forward with allowing our police force to focus more on areas that we know are of greater need to public safety," said Miami Beach Mayor Philip Levine.

If the county rules pass, Miami Beach could collect the fines generated by pot citations issued by its officers rather than the money going to Miami-Dade, according to a county lawyer. Miami Beach Police Chief Dan Oates told city commissioners that he expects to issue 400 civil citations a year for marijuana possession. But people openly smoking marijuana in public would still face arrest on the misdemeanor charge, he said.

The decriminalization issue is a sensitive one. Gimenez has not made a decision on the proposal, according to a spokesman, though the police director who ultimately reports to the mayor, J.D. Patterson, supported it during Wednesday's meeting.

Committee Chairwoman Barbara Jordan started the proceedings by showing the audience all three parts of a CBS4 investigation called "Race Matters" by reporter Jim DeFede that showed a county police squad targeting the largely black area of Goulds with dozens of marijuana arrests but almost no convictions.

Commissioners cited the series throughout the discussion, saying it captured the uneven way police throughout the United States tend to prosecute drug offenses.

An American Civil Liberties Union report cited by DeFede found that a black person in Miami-Dade was six times more likely than a white person to be arrested for marijuana possession. Carlos Martinez, the county's public defender, noted that county prosecutors had authorized the University of Miami's police force to offer its students the equivalent of civil fines and community service when caught with pot — an option offered local colleges but not available to young adults elsewhere in Miami-Dade.

J.L. Demps Jr., president of the Greater Goulds Optimist Club, told commissioners that even a misdemeanor arrest for marijuana can condemn young black men to uphill climbs when it comes to finding employment or housing assistance.

"I've seen many adults trying to get housing in Miami projects," he said. "An arrest makes a big difference in terms of what they can do."

The marijuana rules are part of a larger proposal to rewrite Miami-Dade's criminal codes and create the option of civil fines for six other minor offenses, including loitering, shopping-cart theft, littering and possession of drug paraphernalia.

Heyman cited figures showing that about 24,000 people a year are booked on those charges in Miami-Dade, about 65 per day.

Patterson did not lay out how Miami-Dade's 4,000-person police department would sift through which offenders deserved civil citations for pot and which should be arrested.

"I truly believe Miami-Dade County has the finest," said Commissioner Audrey Edmonson. "But when you start talking about officers having 'discretion,' it appears to me that that discretion is arresting how many blacks more so than anybody else? That's an officer's discretion."

Patterson said arrests would be focused on people caught multiple times smoking pot in public, when someone is clearly a pot dealer, or if marijuana seems to be part of a larger incident, like a car accident.

"Discretion is still very, very important to the officer," Patterson said. As an example, he said someone with a pocketful of joints might be holding less than 20 grams but still look ready to sell the marijuana to someone. "I want to believe an officer will make an arrest in that case"

Miami Herald staff writer Joey Flechas contributed to this report.



PETER ANDREW BOSCH/MIAMI HERALD STAFF

RACE CONCERNS: Commissioner Barbara Jordan discusses a CBS4 report showing county police targeting residents in the largely black area of Goulds with pot arrests.

Miami Herald TUESDAY, JUNE 16, 2015



IN MY OPINION
Fred Grimm
fgrimm@MiamiHerald.com

War on pot going up in smoke

Pot enforcement was a big ongoing story back when I landed my first newspaper job 45 years ago. Oh my, how we did love those police-combat-scourge-of-marijuana stories.

The Mississippi town where I worked suffered plenty of sure-enough serious crime, but robberies and burglaries, even the occasional Saturday night juke-joint killing, would hardly turn an editor's head. If the local police managed a pot bust, that was front page stuff.

The stories ran alongside photographs of the police chief, the arresting officer, the mayor himself, all them stern faced, standing behind a table displaying baggies of marijuana, rolling papers, a roach clip, a bong the size of an alto saxophone.

For a small-town cop, the message was clear. Chase after actual, possibly dangerous criminals, nobody much cares. Nab a couple of potheads and shower yourself in front page glory.

It has been tough lesson to unlearn.

All these years later, we're still wasting time and police resources and great gobs of taxpayer money in the mindless pursuit of marijuana miscreants. As if the criminal justice system was trapped in a 1969 time warp.

The ACLU crunched police records for 2010 and found 757,969 Americans were incarcerated for marijuana law convictions. Florida alone had 57,951 clogging up state and county lock-ups.

The difference now is that the public no longer believes in marijuana prohibition. A Quinnipiac University poll released in April indicated that 55 percent of Floridians think adults should be allowed to possess small amounts of marijuana for recreational use, while 84 percent would legalize medical marijuana.

Four states and the District of Columbia have legalized recreational marijuana. Legalization referendums will be on the ballot in at least five other states, including California, in 2016. Fifteen states have decriminalized small amounts of pot.

Twenty-three states allow the use of medical marijuana. Last year, 59 percent of Florida voters favored a medical marijuana referendum (one percentage point shy of the threshold required to pass a constitutional amendment).

Another measure of the public's flagging enthusiasm for pot prohibition has been the lack of a ruckus around Miami-Dade County Commissioner Sally Heyman's proposed ordinance that would give police the option of issuing a $100 civil citation to someone nabbed with less than 20 grams of marijuana instead of hauling them off to jail on a misdemeanor charge.

• TURN TO GRIMM, 2B

FRED GRIMM | IN MY OPINION

There is no glory in war on pot

• GRIMM, FROM 1B

The measure, which comes up for a commission vote June 30, also has the support of the Miami-Dade Police Department. The cops know there's no more glory in the war on pot.

Worse, enforcement in those states that haven't decriminalized pot reeks of racial disparity. Although blacks and whites use marijuana at about the same rate, the ACLU report found that blacks in Florida were 4.2 times more likely to be arrested on marijuana charges than whites.

Heyman's ordinance may be only a tepid step toward getting rid of our archaic marijuana laws. But at least it will remind police — after all these years — that they have better things to do.

Board of County Commissioners
Office of Community Advocacy
Community Relations Board
111 NW 1st Street • Suite 1034
Miami, Florida 33128-1994
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www.miamidade.gov/advocacy

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Amy Carswell, Program Officer

Honorable Jean Monestime
And Members, Board of County Commissioners

June 29, 2015

RE: CRB Encourages Support for Civil Penalties for Certain Misdemeanors

Dear Chairman Monestime:

On behalf of the Miami-Dade County Community Relations Board (CRB), please accept this letter of support for the proposed Ordinance Related to Civil Penalties for Certain Misdemeanor Violations (Agenda Item No. 7{a} 6-30-15). As you know, the CRB's primary mission is to prevent and reduce community tensions by building bridges of mutual understanding, cooperation and respect among the county's diverse populations. The CRB (founded in 1963) has a long history of bringing together community and law enforcement leaders of goodwill to establish an agenda for enhanced relations.

Among the most pressing community relations priorities in Miami-Dade County right now is the need to improve trust between our residents and law enforcement. Confrontations between civilians and police officers have raised tensions in many communities throughout the nation, in Florida and in Miami-Dade County. In addition, long held perceptions about the inequality of police policies and practices within minority communities persist. In Miami-Dade County, it has been documented that certain laws and penalties have a disproportionate impact on residents of color. Rather than keeping our communities safe, these laws serve to criminalize and degrade many Blacks as well as immigrants, homeless, mentally ill, youthful and low income people.

Bold action is needed to demonstrate that Miami-Dade County can address misdemeanor offenses such as littering, use of containers, trespassing, loitering, removal of a shopping cart and possession of marijuana and/or drug paraphernalia in a manner more appropriate to the impact on our community. The CRB strongly encourages your support for the civil citation and diversion program options that are set forth in the proposed Ordinance.

If you have any questions or comments about this recommendation or about any other CRB activities, please contact Amy Carswell, CRB Program Officer at 305-375-1406 or you may contact me at 786-412-9256. Thank you for continuing to work with us to make ours a safer and more just community for everyone.

Sincerely,

Dr. Walter T. Richardson, Chair

Cc: CRB Members

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: _____ Agenda Item #: 7A

Subject: Civil Citations for certain misdemeanors

Name: Judge Samuel Slom

Address: 1351 NW 12 Street #513 Miami

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Criminal Court System
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#7

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: 6/30/15 Agenda Item #: 7A

Subject: CIVIL CITATIONS

Name: ANDREW LEASE

Address: 4501 LAKE RD.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 7A

Subject: Civil citation

Name: JULIAN PAYNE

Address: 340 W. FLAGLER ST.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: MARTIN A.M.E CHURCH

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 7(A)

Subject: Ordinance Related to Civil Citations

Name: Edward Shohat

Address: 800 Brickell Miami

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Community Relations Board
Organization ~~Firm~~ ~~Client~~

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: 6/30 Agenda Item #: ~~6AA~~ 7A

Subject: ORDANANCE FOR MARIJUANA

Name: WALTER CLARK

Address: RETIRED OFFICER

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: SCIAGE

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

MEMORANDUM

Agenda Item No. 7(B)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Ordinance pertaining to Small Business Enterprise Program; creating Section 2-8.1.1.1.2 of the Code to create a Goods-Only Program based upon certification tiers, provide definitions and program criteria, require one year doing business in Miami-Dade County prior to certification, require quarterly reporting of contracts to certified firms by Public Health Trust, allow application for recertification after submittal of required documents, and contribution to economic development and well-being of Miami-Dade County

The item was amended at the 6-11-15 Economic Prosperity Committee to provide that (i) the applied bid preferences shall be implemented no later than 60 days from the effective date of the ordinance, and (ii) Small Business Development shall prepare and report to the Board after one year as to the impact of the ordinance.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson, and Co-Sponsors Commissioner Daniella Levine Cava and Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

/

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Pertaining to Small Business Enterprise Program; Creating A Goods-Only Program

---

The proposed Ordinance pertaining to the Small Business Enterprise Program creating Section 2-8.1.1.1.2 of the Code, implements a goods-only program based upon certification tiers. Implementation of this ordinance will not have a fiscal impact to the County.

Edward Marquez
Deputy Mayor

Fis05715

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(B)
6-30-15

ORDINANCE NO. _____

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; CREATING SECTION 2-8.1.1.1.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE A GOODS-ONLY PROGRAM BASED UPON CERTIFICATION TIERS, PROVIDE DEFINITIONS AND PROGRAM CRITERIA, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

WHEREAS, the Small Business Enterprise Program provides opportunities for small business participation on Miami-Dade County contracts for procurement of goods and services; and

WHEREAS, the Board wishes to separate the existing goods and services programs into two different programs; and

WHEREAS, the Board wishes to align the requirements of all of the County's small business programs; and

WHEREAS, the Board wishes to include graduation provisions based on personal net worth to maintain the integrity of its small business programs, consistent with federal Disadvantaged Business Enterprise ("DBE") program guidelines; and

WHEREAS, the Board wishes to align its small business program requirements with the local preference requirements, including requiring participating firms to do business in Miami-Dade County for one year prior to certification and contribute to the economic development and well-being of the County; and

WHEREAS, the Board wishes to facilitate fair and equitable competition for small business enterprise goods firms, by establishing tiering criteria consistent with the County's other small business programs; and

WHEREAS, providing quarterly reports to this Board regarding Public Health Trust awards and utilization of small business will ensure compliance with the small business requirements; and

WHEREAS, the Board wishes to allow firms that have been decertified due to the non-submittal of required documents, to be able to immediately reapply for recertification once said documents have been submitted and verified, rather than waiting a year before doing so,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-8.1.1.1.2 of the Code of Miami-Dade County, is hereby created as follows:[1]

>>**Sec. 2-8.1.1.1.2. Small Business Enterprise Goods Program.**

(1) *Title.* This section shall be referred to as the Small Business Enterprise Goods Program.

(2) *Definitions.* The following definitions shall apply in this section.

1. *Agreement* is a duly executed legally binding contract.

2. *Available* or *availability* means to have prior to bid submission, the ability to provide goods under a contract, by having:

a. Reasonably estimated, uncommitted capacity;

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

b. all necessary licenses, permits, registrations and certifications, including Small Business Enterprise ("SBE") certification to provide the type of goods being purchased under the contract;

c. the ability to obtain financing/insurance that is reasonably required and consistent with normal industry practice; and

d. the ability to otherwise meet bid specifications.

3. *Bid* means a quotation, proposal, letter of interest or offer by any bidder in response to any kind of invitation, request or public announcement to submit such quotation, proposal, letter of interest or offer for a contract.

4. *Bid preference* means an amount deducted from the total bid price in order to calculate the bid price to be used to evaluate the bid submitted by a SBE on a competitively bid contract to be awarded on the basis of price (as opposed to an RFP, RFI or RFQ) which is not set aside.

5. *Bidder* or *Proposer* means any person, partnership, corporation or other business entity that submits a bid or proposal.

6. *Board* means the Board of County Commissioners of Miami-Dade County, Florida.

7. *Commercially useful function* means contractual responsibility for the execution of a distinct element of the work of a contract by a SBE and the carrying out of its contractual responsibilities by actually performing, managing, and supervising the work involved. The determination of whether an activity is a commercially useful function shall include the evaluation of the amount of work subcontracted; normal industry practices; the skills, qualifications, or expertise of the enterprise to perform the work; whether the business owner performs, manages, and/or supervises the work involved; and other relevant factors. Acting as an authorized representative of a manufacturer as is normal industry practice is considered a commercially useful function. Commercially useful function shall

also include a distributor authorized by a manufacturer to distribute the manufacturer's products locally. Acting as a broker is not considered a commercially useful function.

8. *Contract* means an agreement for the purchase of goods. Contract does not mean: an agreement to purchase, lease, or rent real property; or a grant, license, permit, franchise or a concession.

9. *Goods* mean any tangible product, material or supply that is not a service.

10. *Graduation* means the SBE has exceeded either the personal net worth, or the specific size limits stated for the program and may no longer be eligible to participate in the program.

11. *Gross Revenue* is defined to include all revenue in whatever form received or accrued from whatever source, including sales of products or services, interest, dividends, rents, royalties, fees or commissions, reduced by returns and allowances. However, proceeds from sales of capital assets, and investments, proceeds from transaction between a firm and its domestic and foreign affiliates are excluded.

12. *Joint venture* means an association of two or more persons, partnerships, corporations or other business entities under a contractual agreement to conduct a specific business enterprise for a specified period with both sharing profits and losses.

13. *Management and Technical Assistance ("MTA")* means a program designed to provide direct and indirect assistance for small business enterprise development.

14. *Mentor-Protégé Program* is a program whose purpose is to build effective working relationships between leaders of mature established companies and emerging SBEs in order for the latter to benefit from the knowledge and experience of the established Mentor firms

15. *Prompt Payment* is the intent of the Board that all firms, including SBEs providing goods to the county, receive payments promptly as specified herein.

16. *Review Committee* or *RC* means the committee established by the Mayor or designee to review proposed projects for the application of contract measures where SBD and the contracting department have not established consensus and when public input requires deliberation regarding the measures/goals recommendations. The RC will make recommendations to the Mayor or designee as needed.

17. *SBD* means the Division of Small Business Development or successor division or department.

18. *Schedule of Intent Affidavit ("SOI")* means a form contained in the bid documents of an SBE contract set-aside or a contract with subcontractor goals in which bidders list at the time of bid submission all SBEs to be used to meet the set-aside or the goal, and the scope of work each will perform, including the goods to be provided, and the percentage value of such work.

19. *Selection factor* means a factor considered in evaluating the response submitted to an RFP, RFQ or RFI by a bidder that is:

    A SBE,

    A joint venture with one or more SBEs.

20. *Small Business Advisory Board* is the board established for the purpose of supporting and promoting the Small Business Enterprise Program(s).

21. *Small Business Enterprise ("SBE")* means a business entity certified by SBD, providing goods, which has a valid business tax receipt issued by Miami-Dade County at least one (1) year prior to certification, an actual place of business in Miami-Dade County, not a Virtual Office, and whose three year average gross revenues does not exceed the following contracting participation levels:

    (i) Tier 1 – $0 to $750,000;

    (ii) Tier 2 – $750,000.01 to $2,000,000; or

    (iii) Tier 3 – $2,000,000.01 to $5,000,000.

The term Small Business Enterprise shall also include a (x) manufacturer with one hundred (100) employees or less, or (y) wholesaler with fifty (50) employees or less, without regard to gross revenues. A wholesaler or manufacturer must comply with all other requirements of this section to be a certified SBE.

No firm shall be certified as a SBE where the personal net worth of any of its owners is more than one million five hundred thousand dollars ($1,500,000), exclusive of: (a) the value of the primary residence for which there is a homestead exemption; (b) the value of the business; and (c) funds invested in an individual retirement account ("IRA"), 401k, pension, or other official retirement account. The owner MUST provide information about the terms and restrictions of the account(s) to SBD, and certify that the retirement account(s) is legitimate. Representations as to a business entity's average gross revenues, personal net worth of owners and payroll shall be subject to audit.

The County Mayor or designee shall be authorized to adjust the SBE size limits every five (5) years at his/her discretion based on the Consumer Price Index for All Urban Consumers ("CPI-U") calculated by the U.S. Department of Commerce or other appropriate tool of inflation measures as applied to Miami-Dade County for the preceding five (5) years. The first indexing adjustment shall occur for the 2013-2014 calendar year using the figures provided for the calendar year ended December 31, 2012, and every five (5) years thereafter. The County Mayor or designee shall advise the Board of any such adjustment.

22. *Set-aside* means the designation of a given contract for competition among SBEs.

23. *Subcontractor goal* means a proportion of a total contract value stated as a percentage to be subcontracted to SBE(s) to perform a commercially useful function.

24. *Virtual Office* means an agreement that provides a receptionist, mail and facsimile services, and similar services, that give the appearance of having a business presence at a location, but the business

entity has no ongoing, full-time physical presence in the building. Virtual Offices are invalid for certification purposes.

25. *Work* means the provision of goods, as defined herein.

(3) *Program.*

(a) *Application.* Except where federal or state laws or regulations mandate to the contrary, the provisions of this section shall be applicable to Miami-Dade and Public Health Trust contracts (as defined in this section) funded in whole or in part by County funds. The Public Health Trust shall provide data on a quarterly basis of all contracts awarded to SBEs. The County Mayor or designee shall prepare implementing orders, bid and contract documents implementing the provisions of this section. The County Mayor or designee by implementing order may exclude classes of contracts, or parts thereof, from application of this section. The words County Mayor or designee in this section shall mean the County Mayor or designee.

(b) *Contracts of $100,000 or less.*

1. Within the fiscal year, it is required that County departments expend with SBEs one hundred (100) percent of the total value of contracts less than one hundred thousand dollars ($100,000.00) for goods. The departmental requirement shall be complied with unless SBD determines that there is either not enough capacity, or the contracts(s) can only be handled by a non-SBE firm(s).

2. Bids or quotes submitted by any SBE shall automatically receive a ten (10) percent bid preference when not set-aside for SBEs. When set-aside, the preference shall be: ten (10) percent for Tier 1 SBEs; five (5) percent for Tier 2 SBEs; and zero (0) percent for Tier 3 SBEs, wholesalers, and manufacturers. The departments shall deduct the preference amount from the total bid or quoted price in order to calculate the price to be used for evaluation.

3. Annually, SBD shall provide a report of awards to SBEs to the Board.

(c) *Contracts Greater than $100,000.* The following SBE measures may be applied to contracts greater than one hundred thousand dollars ($100,000.00):

1. *Set-asides:*

a. Competitive bidding requirements may be waived (by the County Mayor or Board depending on whether the amount of the contract is above or below the minimum amount established by ordinance for competitive bidding) for a contract and the contract set-aside for bidding solely by SBEs where prior to bid advertisement, there are at least three (3) available SBEs to perform the contract, and where such set-aside is in the best interest of the County. Where applicable: (i) contracts from $100,000 to $750,000 shall be set-aside for Tier 1 SBEs; contracts from $750,000.01 to $2 million shall be set-aside for Tier 2 SBEs; and (iii) contracts from $2,000,000.01 to $5 million shall be set-aside for Tier 3 SBEs, wholesalers, and manufacturers.

b. In the event there is no availability in the designated SBE tier, SBD may assign a set-aside to the next level tier which will retain a set-aside recommendation. Lower tier SBE firms may bid on higher tier set asides.

c. Transferring to a non-SBE through subcontracting or otherwise all or part of the actual work of a set-aside contract to a non-SBE is prohibited unless such transfer receives prior approval from SBD.

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d. When set-aside, the bid preference shall be: ten (10) percent for Tier 1 SBEs; five (5) percent for Tier 2 SBEs; and zero (0) percent for Tier 3 SBEs, wholesalers, and manufacturers. The departments shall deduct the preference amount from the total bid or quoted price in order to calculate the price to be used for evaluation.<< >>The County Mayor or the County Mayor's designee shall implement this subsection no later than 60 days from the effective date of this ordinance.<<[2]

2. *Subcontractor goals:*

a. Subcontractor goals may be applied to a contract based on estimates made prior to bid advertisement of the quality, quantity and type of subcontracting opportunities provided by the contract and the availability of SBEs to perform such work. Bid documents for contracts to which a SBE subcontract goal is applied shall provide that only SBEs certified to provide the type of goods for which a goal is imposed shall be counted towards meeting a goal. The bid documents shall further provide that a bidder must be found in compliance with the requirements of subsections b and c below in order to be eligible for award of the contract.

b. Bid documents for contracts to which a SBE subcontractor goal is applied shall provide that bidders must submit with its bid a completed Schedule of Intent Affidavit with those SBE subcontractors the bidder proposes to utilize in order for such

[2] Committee amendments are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

proposed participation to be eligible to be counted towards meeting the goal. Each Schedule of Intent Affidavit shall be in writing, shall be executed by the bidder and the SBE, and shall specify the type of goods the SBE is to provide and the percentage of work the SBE is to perform therefore. The solicitation documents for any competitive selection involving a separate evaluation of sealed price envelopes shall require that the technical submission contain a document duly executed by the proposer and any SBE proposed to be used in satisfaction of a goal which states the percentage that the amount of the SBE's contract bears to the overall contract amount. Copies of the Schedule of Intent Affidavits reflecting the amounts constituting the stated percentages shall be included together with the pricing proposal. Each Schedule of Intent Affidavit shall incorporate the prompt payment obligations and rights provided by the Small Business Enterprise Goods Program. Upon notification from SBD, bidders are allowed up to 48 hours to cure correctable defects on the Schedule of Intent Affidavit. Bid documents for contracts to which a SBE subcontractor goal is applied shall provide that a bidder that is a SBE may itself meet the goal to the extent it is certified to provide the type of goods that are the subject of the contract. Bid documents for contracts to which a SBE subcontractor goal is applied shall provide that a bidder that is a joint

venture one or more of whose venturers is an SBE must submit with its bid a copy of the joint venture agreement in order for such venturer(s)'s participation to be eligible to be counted towards meeting the goal. The joint venture agreement shall be in writing, signed by all venturers, and shall specify the ownership, control, profits and financial risk assumed by each venturer, including the SBE venturer(s). The joint venture agreement shall also specify the portion of the contract work (i.e., the goods to be provided) to be performed by the SBE venturer(s) in detail separately from the work to be performed by the non-SBE member. The bidder shall receive credit towards meeting the goal to the extent that the combined dollar value of the SBE's participation as shown in the joint venture agreement submitted in conformity with and meeting the requirements of this paragraph bears to the total contract price bid by the bidder.

c. A bidder that is a SBE may meet up to 100% of the subcontractor goal with its own forces. A bidder that is a joint venture having one or more SBEs venturers may comply with the goal based on the percentage participation of the SBE joint venturer(s) in the ownership, control and profits of the joint venture, and in the performance of the contract work.

d. Bid documents shall provide only expenditures to SBEs for performing a commercially useful function. These expenditures shall be counted toward meeting a subcontractor goal, expenditures to SBEs who subcontract work further to non-SBEs shall not be counted toward meeting a specified goal unless such subcontracting receives prior approval from SBD.

e. Successful bidder shall submit to the Contracting Officer, for approval, a written subcontract agreement corresponding in all respects to the Successful Bidder's Schedule of Intent Affidavit to include the type of goods and services the SBE is to provide and the percentage and/or price. Each subcontract agreement shall incorporate the prompt payment obligations and rights provided by the Small Business Enterprise Goods Program.

3. *Bid Preference:*

a. A bid preference shall apply to all contracts which are to be awarded on the basis of price (excluding RFPs, RFIs and RFQs) and are not set-aside. The preference shall be used only to evaluate a bid and shall not affect the contract price.

b. The preference accorded on contracts $1 million or less shall be ten (10) percent of the price bid for all tiers, wholesalers, and manufacturers. The preference accorded on contracts greater than $1 million shall be five percent (5%) of the price bid for all tiers, wholesalers, and manufacturers.

Preferences shall be applied to the bid price of bidders that:

I. are SBEs; or

II. are joint ventures with at least one SBE.

>>c. The County Mayor or the County Mayor's designee shall implement this subsection no later than 60 days from the effective date of this ordinance.<<

(d) *Administrative Procedure.* The County Mayor or designee shall establish an administrative procedure for the review of each proposed County contract greater than one hundred thousand dollars ($100,000.00) to which this section applies.

(e) *Management & Technical Assistance.* SBD will provide management and technical assistance and community outreach to business entities certified as SBEs with Miami-Dade County.

(f) *SBE Financial Assistance.* SBD will develop a program to identify methods of financial assistance to SBE vendors on Miami-Dade County contracts.

(g) *Small Business Advisory Board.* The Small Business Advisory Board shall be the advisory board for the Small Business Enterprise Program(s), as codified in Section 2-8.1.1.1.1(3)(g) of the Code of Miami-Dade County Florida.

(h) *Certification.*

1. Small Business Development shall implement eligibility criteria and administrative procedures for entities to be certified as SBEs.

2. Any SBE that exceeds the personal net worth or size limits shall immediately be graduated from the program after formal written notification. Such SBE shall be allowed to remain through the contract period on awarded contracts and any options to renew on the contract. The graduated firm shall not be eligible for any new contracts under the SBE program under the

existing certification. With exception of provisions described in the ordinance for graduation from the SBE program, loss of certification may lead to removal of the firm from continued participation in the Small Business Enterprise program.

3. Small Business Development shall maintain an updated list of firms that identifies each listed SBE based on the nature of the goods the SBE shall be certified to provide.

4. Small Business Development shall not certify an applicant, shall not recertify an SBE, and shall decertify an SBE that fails to comply with the criteria or procedures for obtaining or maintaining certification. SBD shall have authority to suspend the certification of a SBE during any appeal of a decertification decision. Firms that have been decertified for non-submittal of documents, may apply for recertification once said documents have been submitted and verified by SBD.

5. The County Mayor or designee shall establish the frequency and administrative procedures for certification renewal by Implementing Order approved by the Board of County Commissioners. Certification must be in effect at the time of bid submission; at bid award, and throughout the duration of the contract. SBEs experiencing changes in address or ownership shall notify SBD within thirty (30) days of the effective date of such changes.

6. Applicants and certified SBEs must have a valid business tax receipt issued by Miami-Dade County at least one (1) year prior to certification, and an actual place of business in Miami-Dade County, not a Virtual Office, at which they perform a commercially useful function in the provision of the type of goods for which certification is sought in order to be eligible for certification or remain certified. In addition, a firm shall not be certified unless it contributes to the

economic development and well-being of Miami-Dade County in a verifiable and measurable way. This may include, but not be limited to the retention and expansion of employment opportunities and the support and increase to the County's tax base.

7. A business entity shall be eligible to be certified as an SBE only if the owner holding at least ten (10) percent shares or ownership in the business entity personally possesses any regulatory licenses and satisfies the qualifying requirements required in order to engage in the business of providing the type of goods for which certification is sought.

8. A business owner alone or as a member of a group, shall own or control only one SBE at a time and shall not own and control another separate business certified under the Small Business Enterprise Program.

9. Small Business Development may require applicants and SBEs to submit information regarding their business operations in order to determine eligibility for certification.

(i) *Prompt Payment.* The prompt payment provisions of this section shall take precedence over Section 2-8.1.4 of the Code ("Sherman S. Winn Prompt Payment Ordinance"), as to the contracts specified below:

1. All firms, including SBEs providing goods to the County, shall receive payments promptly in order to maintain sufficient cash flow. Billings from prime vendors under goods contracts with Miami-Dade County or the Public Health Trust, that are a SBE contract set-aside, bid preference or contain a subcontractor goal, shall be promptly reviewed and payment made by the County or Trust on those amounts not in dispute within 14 calendar days of receipt or such billings by the County, or Trust.

2. The County or Public Health Trust shall establish administrative procedures requiring that billings from SBE prime vendors on contracts shall be

promptly reviewed and payment made by the County or Trust on those amounts not in dispute within fourteen (14) calendar days of receipt of such billing by the County or Trust.

3. A prime vendor on a contract with SBE measures shall include in its billings to the County or Trust copies of undisputed billings from SBE subcontractors within fourteen (14) calendar days of receipt of such billings, or by the next scheduled billing whichever comes first. The prime vendor shall pay those amounts not in dispute to subcontracting SBEs within two (2) days of receipt of payment from the County. If the prime vendor fails to submit undisputed billings from an SBE to the County as specified herein or chooses not to submit any billing to the County pursuant to the billing schedule, the prime vendor must pay the full amount of the received SBE billings by the next billing cycle or forty (40) calendar days from receipt, whichever is less.

4. The County or prime vendor in direct privity with a SBE on a contract with SBE measures must notify the SBE and SBD, in writing, of those amounts billed by the SBE which are in dispute, and the specific reasons why they are in dispute, within fourteen (14) calendar days of submittal of such billing, or by the next scheduled billing whichever comes first. Failure by the County or prime vendor to comply with the applicable requirements of this subsection shall result in the forfeiture of the right to use the dispute as justification for not paying the SBE and payment shall be forthcoming from the County or prime vendor as appropriate by the next billing date or forty (40) calendar days from receipt of billing, whichever is less.

5. An SBE may invoice the County or prime vendor, as appropriate, one percent (1%) interest per month for any undisputed amount that is not promptly paid.

(j) *Sanctions.* Bid and contract documents shall provide that, notwithstanding any other penalties or sanctions provided by law, a bidder's violation of or failure to comply with this section or its implementing administrative orders may result in the imposition of one or more of the following sanctions:

1. The suspension of any payment or part thereof until such time as the issues concerning compliance are resolved.

2. Work stoppage.

3. Termination, suspension, or cancellation of the contract in whole or part.

4. In the event a bidder, SBE attempts to comply with the provisions of this section through fraud, misrepresentation, or material misstatement, the County shall, whenever practicable, terminate the contract or require the termination or cancellation of the subcontract for the project on which the bidder, SBE committed such acts. In addition, and as a further sanction, the County may impose any of the above-stated sanctions on any other contracts or subcontracts the bidder, SBE has on County projects. In each instance, the bidder, SBE shall be responsible for all direct and indirect costs associated with such termination or cancellation including attorney's fees and costs.

The foregoing notwithstanding, the County Mayor shall include language in all prospective contracts containing a SBE subcontractor goal which provides that, in addition to any other sanction for failure to fulfill the SBE subcontractor goal requirements for such contract, the contractor's eligibility to receive any future County contract shall be conditioned upon the contractor making up the deficit in SBE participation in such future contract by having SBEs perform work equal to double the dollar value of the deficiency in the SBE subcontractor goal in the prior contract. The foregoing obligation shall be in addition to any SBE subcontractor goal otherwise applicable to the future contact. The contractor's failure to enter into a written subcontract with a SBE after listing the firm in its schedule of intent affidavit, may result in the imposition of one or more of the sanctions listed in Subsection (j) above.

(k) *Administrative Penalties.* The County Mayor may impose, notwithstanding any other provision of this section, one or more of the following penalties for violation of or noncompliance with this section or its implementing administrative orders and bid documents:

1. The exclusion from county contracting and subcontracting for a specified period of time, not to exceed three (3) years, of a contractor, its individual officers, its shareholders with significant interests, and its affiliated businesses.

2. The loss of eligibility to be certified as an SBE for a specified period of time, not to exceed three (3) years, for an applicant or a SBE, its individual officers, its shareholders with significant interests, and its affiliated businesses.

3. Where a contractor, its individual officers, shareholders with significant interests, or its affiliated businesses, attempts to comply with the provisions of this section through fraud, misrepresentation, or material misstatement, all such individuals and entities participating in the fraud, misrepresentation or material misstatement shall be excluded from County contracting, and SBE certification for a specified period of time, not to exceed five (5) years.

4. If any individual or corporation, partnership or other entity, or any individual officer, shareholder with significant interests, director or partner of such entity or affiliated business of such entity participates in an attempt to comply with the provisions of this section through fraud, misrepresentation, or material misstatement, all such individuals and entities participating in the fraud, misrepresentation or material misstatement shall be excluded from County contracting, subcontracting, and SBE certification, for a specified period of time, not to exceed five (5) years.

5. If the determination of the County Mayor or designee is that the contractor or subcontractor failed to comply and that such failure was pervasive, the Mayor or designee may order that the contract work be suspended or terminated, and that the noncomplying contractor or subcontractor and the principal owners and/or qualifying agent thereof be prohibited from bidding on or otherwise participating in County construction contracts for a period not to exceed three (3) years.

6. If the determination of the County Mayor or designee is that the contractor or subcontractor failed to comply and that such failure was limited to isolated instances and was not pervasive, the County Mayor or designee may, in the case of a goal deficit, order a penalty amount to be withheld from the contractor for such noncompliance as follows: for the first deficit, a penalty in an amount equal to ten (10) percent of the amount thereof; for the second deficit, a penalty in an amount equal to twenty (20) percent thereof; for the third and successive deficits, a penalty in an amount equal to thirty (30) percent thereof. A fourth violation and finding of noncompliance, shall constitute a default of the subject contract and shall be cause for suspension or termination in accordance with the contract's terms and debarment in accordance with the debarment procedures of the County. Monies received from payment of penalties imposed hereunder shall be deposited in a separate account and shall be utilized solely to defray SBD's costs of administering Section 10-33.02 of the Code of Miami-Dade County.

7. If the required payment is not made within thirty (30) days of the administrative hearing or final resolution of any appeal therefrom, the noncomplying contractor or subcontractor and the principal owner(s) and qualifying agent(s) thereof shall be prohibited from bidding on or otherwise participating in County construction contracts for a period not to exceed three (3) years.

(l) *Appeals.*

1. Any firm that is denied certification, decertified, or issued a determination of noncompliance with the requirements of this ordinance or its implementing order may appeal such action to the County Mayor or designee by submitting a written request to the County Mayor or designee along with a nonrefundable filing fee to be established by implementing order, within thirty (30) days of issuance of the notice. Upon timely receipt of a request for an administrative hearing, the County Mayor or designee shall appoint a hearing officer pursuant to Section 8CC-2 of the Code of Miami-Dade County, Florida, and fix a time for an administrative hearing thereon. Such hearing

officers may be paid a fee for their services, but shall not be deemed County officers or employees within the purview of Sections 2-10.2, or 3-11.1 or otherwise.

Upon completion of the administrative hearing, the hearing officer shall transmit his/her findings of facts, conclusions and recommendations together with a transcript of all evidence taken before him/her and all exhibits received by him/her, to the Mayor or designee, who (i) may sustain, reverse or modify the hearing officer's recommendations and (ii) shall render a final decision, in writing. The determination of the Mayor may be reviewed by an appropriate court in the manner provided in the Florida Rules of Appellate Procedure.

2. The prevailing party shall not incur any additional expenses, fees or penalties. The unsuccessful appellant shall be responsible for all additional fees, costs and penalties associated with the appeal.<<

>>**Section 2.** Small Business Development shall prepare and report to the Board after 1 year as to the impact of the ordinance, and which report shall include success rates of certified firms, and competition among certified firms and between certified firms and non-certified larger firms competing for County contracts.<<

Section 3. 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 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-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 5. 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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency: APW

Prepared by: dsh

David Stephen Hope

Prime Sponsor: Commissioner Audrey M. Edmonson
Co-Sponsors: Commissioner Daniella Levine Cava
Commissioner Barbara J. Jordan

BOARD OF COUNTY COMMISSIONERS MEETING – JUNE 30, 2015

COMMISSIONER EDMONSON'S PROPOSED AMENDMENT TO AGENDA ITEM 7(B)

Section 1 is proposed to be amended as follows:

The terms Tier 1 and Tier 2 are renamed Micro Tier 1 and Micro Tier 2, respectively, on handwritten pages 8, 10, 11, and 12.

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: Second Reading Agenda Item #: 7B

Subject: SBE

Name: Winifred Browne

Address: P.O. Box 681912, Miami, FL 33168

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: ECO Solution Group – CEO/President
Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: ~~7B~~ 6/30 Agenda Item #: 7B

Subject: For small business

Name: [illegible]

Address: [illegible] Cooper [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: [illegible]

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: June 30, 15 Meeting: BCC Agenda Item #: 7B + 7C

Subject: SBE PROGRAM

Name: STEPHANIE M. CLARK

Address: 6815 BISCAYNE BLVD. #103-192, MIAMI, FL 33138

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: N/A
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 06/30/15 Meeting: 6/30 Agenda Item #: 7B

Subject: In Favor of proposed changes

Name: Josh Aberman

Address: 230 NW 29th Street Miami, FL 33127

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Lehman Pipe
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 7B

Subject: Small Business Ordinance

Name: Anthony Jackson, CPA

Address: 1221 Brickell Avenue

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 06.30.2015 Meeting: BCC Agenda Item #: ~~16 2~~ 7B/7C

Subject: Small business

Name: JACKIE GENARD

Address: 11341 SW 124 St Mia. FL 33176

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Genard + Associates, llc
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter? NO -

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 7B

Subject: Ordinance Pertaining to [illegible]

Name: Water [illegible] Water [illegible]

Address: [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#7B / 7C

AGAINST Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 7B + 7C

Subject: SB ORDINANCE

Name: SARA Ribero

Address: 8350 SW 92 ST 33156

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

MEMORANDUM

Agenda Item No. 7(C)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance pertaining to Small Business Enterprise Program; amending Section 2-8.1.1.1.1 of the Code to delete the goods portion of the program in order to create a Services-Only Program based upon certification tiers using three year average gross revenues, provide Virtual Office definition, require one year doing business in Miami-Dade County prior to certification, require quarterly reporting of contracts to certified firms by Public Health Trust, allow application for recertification after submittal of required documents, and contribution to economic development and well-being of Miami-Dade County

The item was amended at the 6-11-15 Economic Prosperity Committee to provide that (i) the applied bid preferences shall be implemented no later than 60 days from the effective date of the ordinance, and (ii) Small Business Development shall prepare and report to the Board after one year as to the impact of the ordinance.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson, and Co-Sponsors Commissioner Daniella Levine Cava and Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

/

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Pertaining to Small Business Enterprise Program; Deleting The Goods Portion Of The Program

---

The proposed Ordinance pertaining to the Small Business Enterprise Program amends Section 2-8.1.1.1.1 of the Code to delete the goods portion of the program in order to create a services-only program based upon certification tiers using a three-year average of gross revenues. Implementation of this ordinance will not have a fiscal impact to the County.

Edward Marquez
Deputy Mayor

Fis05615

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(C)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)
6-30-15

ORDINANCE NO. _____

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO DELETE THE GOODS PORTION OF THE PROGRAM IN ORDER TO CREATE A SERVICES-ONLY PROGRAM BASED UPON CERTIFICATION TIERS USING THREE YEAR AVERAGE GROSS REVENUES, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

WHEREAS, the Small Business Enterprise Program provides opportunities for small business participation on Miami-Dade County contracts for procurement of goods and services; and

WHEREAS, the Board wishes to separate the existing goods and services programs into two different programs; and

WHEREAS, the Board wishes to align the requirements of all of the County's small business programs; and

WHEREAS, the Board wishes to include graduation provisions based on personal net worth to maintain the integrity of its small business programs, consistent with federal Disadvantaged Business Enterprise ("DBE") program guidelines; and

WHEREAS, the Board wishes to align its small business program requirements with the local preference requirements, including requiring participating firms to do business in Miami-

Dade County for one year prior to certification and contribute to the economic development and well-being of the County; and

WHEREAS, the Board wishes to facilitate fair and equitable competition for small business enterprise services firms, by establishing tiering criteria consistent with the County's other small business programs; and

WHEREAS, providing quarterly reports to this Board regarding Public Health Trust awards and utilization of small business will ensure compliance with the small business requirements; and

WHEREAS, the Board wishes to allow firms that have been decertified due to the non-submittal of required documents, to be able to immediately reapply for recertification once said documents have been submitted and verified, rather than waiting a year before doing so,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-8.1.1.1.1 of the Code of Miami-Dade County, is hereby amended as follows[1]:

Sec. 2-8.1.1.1.1. Small Business Enterprise[[~~Goods and~~]] Services Program.

* * *

(1) *Title.* This section shall be referred to as the Small Business Enterprise [[~~Goods and~~]] Services Program.

(2) *Definitions.* The following definitions shall apply in this section.

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

* * *

2. *Available* or *availability* means to have prior to bid submission, the ability to provide [[~~goods or~~]] services under a contract, by having:

   a. Reasonably estimated, uncommitted capacity;

   b. All necessary licenses, permits, registrations and certifications, including Small Business Enterprise (SBE) [[~~or Micro Enterprise~~]] certification to provide the type of [[~~goods or~~]] services being purchased under the contract;

   c. The ability to obtain financing/insurance that is reasonably required and consistent with normal industry practice; and

   d. The ability to otherwise meet bid specifications.

3. *Bid* means a quotation, proposal, letter of interest or offer by any bidder in response to any kind of invitation, request or public announcement to submit such quotation, proposal, letter of interest or offer for a contract.

4. *Bid preference* means an amount deducted from the total bid price in order to calculate the bid price to be used to evaluate the bid submitted by a [[~~Micro Enterprise or~~]] SBE on a competitively bid contract to be awarded on the basis of price (as opposed to an RFP, RFI or RFQ) which is not set aside.

* * *

8. *Contract* means an agreement for the purchase of [[~~goods or~~]] services, including professional services. Professional services as used in this section includes but is not limited to accounting, legal, health care, consulting and management services. Contract does not mean: an agreement to purchase, lease, or rent real property; a grant, license, permit, franchise or a concession; an agreement to acquire professional architectural, engineering, landscape architectural or land

surveying and mapping services of two million five hundred thousand dollars ($2,500,000.00) or less; or a contract for construction or construction management services of two million five hundred thousand dollars ($2,500,000.00) or less.

9. [[~~*Goods* mean any tangible product, material or supply that is not a service.~~

~~10.~~]] *Graduation* means the SBE [[~~or Micro Enterprise~~]] has exceeded >>either the personal net worth, or<< the specific size limits stated for the program and may no longer be eligible to participate in the program.

[[~~11.~~]]>>10.<<*Gross Revenue* is defined to include all revenue in whatever form received or accrued from whatever source, including sales of products or services, interest, dividends, rents, royalties, fees or commissions, reduced by returns and allowances. However, proceeds from sales of capital assets, and investments, proceeds from transaction between a firm and its domestic and foreign affiliates are excluded.

[[~~12.~~]]>>11.<<*Joint venture* means an association of two or more persons, partnerships, corporations or other business entities under a contractual agreement to conduct a specific business enterprise for a specified period with both sharing profits and losses.

[[~~13.~~]]>>12.<<*Management and Technical Assistance (MTA)* means a program designed to provide direct and indirect assistance for small business enterprise development.

[[~~14.~~]]>>13.<<*Mentor-Protege Program* is a program whose purpose is to build effective working relationships between leaders of mature established companies and emerging SBEs [[~~and Micro Enterprises~~]] in order for the latter to benefit from the knowledge and experience of the established Mentor firms.

[[~~15. *Micro Enterprise* means a business entity certified by SBD, providing goods or services, which has an actual place of business in Miami-Dade County and whose three-year average gross revenues does not exceed two million dollars ($2,000,000.00), or a~~

~~manufacturer with fifty (50) employees or less, or a wholesaler with fifteen (15) employees or less whose actual place of business is in Miami-Dade County.~~

~~16.~~]]>>14.<<*Prompt Payment* is the intent of the Board that all firms, including SBEs [[~~and Micro Enterprises~~]] providing [[~~goods and~~]] services to the county, receive payments promptly as specified herein.

[[~~17.~~]]>>15.<<*Review Committee* or *RC* means the committee established by the Mayor or designee to review proposed projects for the application of contract measures where SBD and the contracting department have not established consensus and when public input requires deliberation regarding the >>measures/goals recommendations<< [[~~measure/goal recommendation~~]]. The RC will make recommendations to the Mayor or designee >>as needed<<.

[[~~18.~~]]>>16.<<*SBD* means the [[~~Department~~]]>>Division<< of Small Business Development>>or successor division or department<<.

[[~~19.~~]]>>17.<<*Schedule of Intent Affidavit (SOI)* means a form contained in the bid documents of an SBE contract set-aside or a contract with subcontractor goals in which bidders list at the time of bid submission all SBEs to be used to meet the set-aside or the goal, and the scope of work each will perform, including the [[~~goods or~~]] services to be provided, and the percentage value of such work.

[[~~20.~~]]>>18.<<*Selection factor* means a factor considered in evaluating the response submitted to an RFP, RFQ or RFI by a bidder that is:

A SBE,

A joint venture with one or more SBEs.

[[~~21.~~]]>>19.<<*Small Business Advisory Board* is the board established for the purpose of supporting and promoting the Small Business Enterprise [[~~Goods and Services~~]] Program>>(s)<<.

[[~~22.~~]]>>20.<<*Small Business Enterprise (SBE)* means a business entity certified by SBD, providing [[~~goods or~~]] services, which has >>a valid business tax receipt issued by Miami-Dade County at least one (1) year prior to certification,<< an actual place of business in Miami-Dade County>>, not a Virtual Office,<< and whose three>>_<<[[–]]year average gross revenues does not exceed [[~~five million dollars ($5,000,000.00). The term Small Business Enterprise shall also include a manufacturer with one hundred (100) employees or less or wholesaler with fifty (50) employees or less without regard to gross revenues whose actual place of business is located in Miami-Dade County~~]] >>the following contracting participation levels:

(i) Tier 1 – $0 to $750,000;

(ii) Tier 2 – $750,000.01 to $2,000,000; or

(iii) Tier 3 – $2,000,000.01 to $5,000,000.

No firm shall be certified as a SBE where the personal net worth of any of its owners is more than one million five hundred thousand dollars ($1,500,000), exclusive of: (a) the value of the primary residence for which there is a homestead exemption; (b) the value of the business; and (c) funds invested in an individual retirement account ("IRA"), 401k, pension, or other official retirement account. The owner MUST provide information about the terms and restrictions of the account(s) to SBD, and certify that the retirement account(s) is legitimate.<< Representations as to a business entity's average gross revenues >>, personal net worth of owners<< and payroll shall be subject to audit.

The County Mayor or designee shall be authorized to adjust the SBE [[~~/Micro-SBE~~]] size limits every five (5) years at his/her discretion based on the Consumer Price Index for All Urban Consumers (CPI-U) calculated by the U.S. Department of Commerce or other appropriate tool of inflation measures as applied to Miami-Dade County for the preceding five (5) years. The first indexing adjustment shall occur for the 2013-2014 calendar year using the figures provided for the

calendar year ended December 31, 2012, and every five (5) years thereafter. The County Mayor or designee shall advise the Board of any such adjustment.

[[~~23.~~]]>>21.<<*Service* means work offered for public or private consumption that does not consist primarily of goods.

[[~~24.~~]]>>22.<<*Set-aside* means the designation of a given contract for competition among SBEs.

[[~~25.~~]]>>23.<<*Subcontractor goal* means a proportion of a total contract value stated as a percentage to be subcontracted to SBE(s) to perform a commercially useful function.

>>24. *Virtual Office* means an agreement that provides a receptionist, mail and facsimile services, and similar services, that give the appearance of having a business presence at a location, but the business entity has no ongoing, full-time physical presence in the building. Virtual Offices are invalid for certification purposes.<<

[[~~26.~~]]>>25.<<*Work* means the provision of [[~~goods or~~]] services, as defined herein.

(3) *Program.*

(a) *Application.* Except where federal or state laws or regulations mandate to the contrary, the provisions of this section shall be applicable to Miami-Dade and Public Health Trust contracts (as defined in this section) funded in whole or in part by County funds. >>The Public Health Trust shall provide data on a quarterly basis of all contracts awarded to SBEs.<< The County Mayor or designee shall prepare implementing orders, bid and contract documents implementing the provisions of this section. The County Mayor or designee by implementing order may exclude classes of contracts, or parts thereof, from application of this section. The words County Mayor or designee in this section shall mean the County Mayor or designee.

(b) *Contracts of $100,000 or less.*

1. Within the fiscal year, it is required that County departments expend with SBEs one hundred (100) percent of the total value of contracts less than one hundred thousand dollars ($100,000.00) for [[~~goods and/or~~]] services. The departmental requirement shall be complied with unless SBD determines that there is either not enough capacity, or the contracts(s) can only be handled by a non-SBE firm(s).

2. Bids or quotes submitted by [[~~Micro Enterprises~~]] >>any SBE<< shall automatically receive a ten (10) percent bid preference >>when not set-aside for SBEs. When set-aside, the preference shall be: ten (10) percent for Tier 1 SBEs; five (5) percent for Tier 2 SBEs; and zero (0) percent for Tier 3 SBEs<<. The departments shall deduct the preference amount from the total bid or quoted price in order to calculate the price to be used for evaluation.

3. Annually, SBD shall provide a report of awards to [[~~Micro Enterprises and~~]] SBEs to the Board.

(c) *Contracts Greater than $100,000.* The following SBE measures may be applied to contracts greater than one hundred thousand dollars ($100,000.00):

1. *Set-asides:*

a. Competitive bidding requirements may be waived (by the County [[~~Manager~~]]>>Mayor<< or County Commission depending on whether the amount of the contract is above or below the minimum amount established by ordinance for competitive bidding) for a contract and the contract set-aside for bidding solely by SBEs where prior to bid advertisement, there are at least three (3) available SBEs to perform the

//

contract, and where such set-aside is in the best interest of the County. >>Where applicable: (i) contracts from $100,000 to $750,000 shall be set-aside for Tier 1 SBEs; contracts from $750,000.01 to $2 million shall be set-aside for Tier 2 SBEs; and (iii) contracts from $2,000,000.01 to $5 million shall be set-aside for Tier 3 SBEs.

b. In the event there is no availability in the designated SBE tier, SBD may assign a set-aside to the next level tier which will retain a set-aside recommendation. Lower tier SBE firms may bid on higher tier set asides.<<

[[~~b~~]]>>c<<. Transferring to a non-SBE through subcontracting or otherwise all or part of the actual work of a set-aside contract to a non-SBE is prohibited unless such transfer receives prior approval from SBD.

>>d. When set-aside, the bid preference shall be: ten (10) percent for Tier 1 SBEs; five (5) percent for Tier 2 SBEs; and zero (0) percent for Tier 3 SBEs. The departments shall deduct the preference amount from the total bid or quoted price in order to calculate the price to be used for evaluation.<< >>The County Mayor or the County Mayor's designee shall implement this subsection no later than 60 days from the effective date of this ordinance.<<[2]

[2] Committee amendments are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

2. *Subcontractor goals:*

a. Subcontractor goals may be applied to a contract based on estimates made prior to bid advertisement of the quality, quantity and type of subcontracting opportunities provided by the contract and the availability of SBEs to perform such work. Bid documents for contracts to which a SBE subcontract goal is applied shall provide that only SBEs certified to provide the type of [[~~goods or~~]] services for which a goal is imposed shall be counted towards meeting a goal. The bid documents shall further provide that a bidder must be found in compliance with the requirements of subsections b and c below in order to be eligible for award of the contract.

b. Bid documents for contracts to which a SBE subcontractor goal is applied shall provide that bidders must submit with its bid a completed Schedule of Intent Affidavit with those SBE subcontractors the bidder proposes to utilize in order for such proposed participation to be eligible to be counted towards meeting the goal. Each Schedule of Intent Affidavit shall be in writing, shall be executed by the bidder and the SBE, and shall specify the type of [[~~goods or~~]] services the SBE is to provide and the percentage of work the SBE is to perform therefore. The solicitation documents for any competitive selection involving a separate evaluation of sealed price envelopes shall require that the technical submission contain a document duly executed by the proposer and any SBE proposed to

be used in satisfaction of a goal which states the percentage that the amount of the SBE's contract bears to the overall contract amount. Copies of the Schedule of Intent Affidavits reflecting the amounts constituting the stated percentages shall be included together with the pricing proposal. Each Schedule of Intent Affidavit shall incorporate the prompt payment obligations and rights provided by the Small Business Enterprise >>Services<< Program. Upon notification from SBD, bidders are allowed up to 48 hours to cure correctable defects on the Schedule of Intent Affidavit. Bid documents for contracts to which a SBE subcontractor goal is applied shall provide that a bidder that is a SBE may itself meet the goal to the extent it is certified to provide the type of [[~~goods or~~]] services that are the subject of the contract. Bid documents for contracts to which a SBE subcontractor goal is applied shall provide that a bidder that is a joint venture one or more of whose venturers is an SBE must submit with its bid a copy of the joint venture agreement in order for such venturer(s)'s participation to be eligible to be counted towards meeting the goal. The joint venture agreement shall be in writing, signed by all venturers, and shall specify the ownership, control, profits and financial risk assumed by each venturer, including the SBE venturer(s). The joint venture agreement shall also specify the portion of the contract work (i.e., the

[[~~goods or~~]] services to be provided) to be performed by the SBE venturer(s) in detail separately from the work to be performed by the non-SBE member. The bidder shall receive credit towards meeting the goal to the extent that the combined dollar value of the SBE's participation as shown in the joint venture agreement submitted in conformity with and meeting the requirements of this paragraph bears to the total contract price bid by the bidder.

* * *

e. Successful bidder shall submit to the Contracting Officer, for approval, a written subcontract agreement corresponding in all respects to the Successful Bidder's Schedule of Intent Affidavit to include the type of goods and services the SBE is to provide and the percentage and/or price. Each subcontract agreement shall incorporate the prompt payment obligations and rights provided by the Small Business Enterprise >><u>Services</u><< Program.

3. *Bid Preference:*

a. A bid preference shall apply to all contracts which are to be awarded on the basis of price ([[~~as opposed to~~]] >><u>excluding</u><< RFPs, RFIs and RFQs) and are not set-aside. The preference shall be used only to evaluate a bid and shall not affect the contract price.

b. The preference accorded on contracts $1 million or less shall be ten (10) percent of the price bid >><u>for all</u>

tiers<<. The preference accorded on contracts greater than $1 million shall be 5% of the price bid >>for all tiers<<.

Preferences shall be applied to the bid price of bidders that:

I. Are SBEs[[~~/Micro Enterprises~~]];>>or<<

II. Are joint ventures with at least one SBE[[~~/Micro Enterprises;~~]]>>.<<

>>c. The County Mayor or the County Mayor's designee shall implement this subsection no later than 60 days from the effective date of this ordinance.<<

* * *

(d) [[~~*Review Committee*~~]]>>*Administrative Procedure*<<. The County Mayor or designee shall establish an administrative procedure for the review of each proposed County contract greater than [[~~fifty~~]]>>one hundred<< thousand dollars ($[[~~50,000.00~~]]>>100,000.00<<) to which this section applies.

(e) *Management & Technical Assistance.* [[~~The Department of~~]] Small Business Development [[~~(SBD)~~]] will provide Management and Technical Assistance and community outreach to business entities certified as SBEs [[~~or Micro Enterprises~~]] with Miami-Dade County.

* * *

(g) *Small Business Advisory Board.* There is hereby created a Miami-Dade County Advisory Board for the [[~~SBE~~]]>>Small Business Enterprise<< [[~~Goods and Services~~]] Program>>(s)<<.

* * *

(h) *Certification.*

1. [[~~The Department of~~]] Small Business Development shall implement eligibility criteria and administrative procedures for entities to be certified as SBEs[[~~/Micro Enterprises~~]].

2. Any SBE[[~~/Micro Enterprise~~]] that exceeds the >>personal net worth or<< size limits shall immediately be graduated from the program after formal written notification. Such SBE[[~~/Micro Enterprises~~]] shall be allowed to remain through the contract period on awarded contracts and any options to renew on the contract. The graduated firm shall not be eligible for any new contracts under the SBE program under the existing certification. With exception of provisions described in the ordinance for graduation from the SBE[[~~/Micro Enterprise~~]] program, loss of certification may lead to removal of the firm from continued participation in the Small Business Enterprise program.

3. [[~~The Department of~~]] Small Business Development shall maintain an updated list of firms that identifies each listed SBE [[~~and Micro Enterprise~~]] based on the nature of the [[~~goods and/or~~]]services the SBE [[~~and Micro Enterprise~~]] shall be certified to provide.

4. [[~~The Department of~~]] Small Business Development shall not certify an applicant, shall not recertify an SBE [[~~or Micro Enterprise~~]], and shall decertify an SBE [[~~or Micro Enterprise~~]] that fails to comply with the criteria or procedures for obtaining or maintaining certification. SBD shall have authority to suspend the certification of a SBE [[~~or Micro Enterprise~~]] during any appeal of a decertification decision. >>Firms that have been decertified for non-submittal of documents, may apply for recertification once said documents have been submitted and verified by SBD.<<

5. The County Mayor or designee shall establish the frequency and administrative procedures for certification renewal by Implementing Order approved by the Board of County Commissioners. Certification must be in effect at the time of bid submission; at bid award, and throughout the duration of the contract. SBEs [[~~and Micro Enterprises~~]] experiencing changes in address or ownership shall notify SBD within thirty (30) days of the effective date of such changes.

6. Applicants and certified SBEs [[~~or Micro Enterprises~~]] must have >>a valid business tax receipt issued by Miami-Dade County at least one (1) year prior to certification,<<[[~~an occupational license~~]] and an actual place of business in Miami-Dade County>>, not a Virtual Office,<< at which they perform a commercially useful function in the provision of the type of [[~~goods and~~]] services for which certification is sought in order to be eligible for certification or remain certified. >>In addition, a firm shall not be certified unless it contributes to the economic development and well-being of Miami-Dade County in a verifiable and measurable way. This may include, but not be limited to the retention and expansion of employment opportunities and the support and increase to the County's tax base.<<

7. A business entity shall be eligible to be certified as an SBE [[~~or Micro Enterprise~~]] only if the owner holding at least ten (10) percent shares or ownership in the business entity personally possesses any regulatory licenses and satisfies the qualifying requirements required in order to engage in the business of providing the type of [[~~goods or~~]] services for which certification is sought.

8. A business owner alone or as a member of a group, shall own or control only one SBE [[~~or Micro Enterprise~~]] at a time and shall

not own and control another separate business certified under the Small Business Enterprise Program.

9. [[~~The Department of~~]] Small Business Development may require applicants and SBEs [[~~or Micro Enterprises~~]] to submit information regarding their business operations in order to determine eligibility for certification.

(i) *Prompt Payment.*

1. All firms, including SBEs [[~~and Micro Enterprises~~]] providing [[~~goods and~~]] services to the County, shall receive payments promptly in order to maintain sufficient cash flow.

2. The County or Public Health Trust shall establish administrative procedures requiring that billings from SBE[[~~/Micro Enterprise~~]] prime vendors on contracts shall be promptly reviewed and payment made by the County or Trust on those amounts not in dispute within thirty (30) calendar days of receipt of such billing by the County or Trust.

3. A prime vendor on a contract with SBE measures shall include in its billings to the County or Trust copies of undisputed billings from SBE subcontractors within 14 calendar days of receipt of such billings, or by the next scheduled billing whichever comes first. The prime vendor shall pay those amounts not in dispute to subcontracting SBEs within 2 days of receipt of payment from the County. If the prime vendor fails to submit undisputed billings from an SBE to the County as specified herein or chooses not to submit any billing to the County pursuant to the billing schedule, the prime vendor must pay the full amount of the received SBE billings by the next billing cycle or 40 calendar days from receipt, whichever is less.

4. The County or prime vendor in direct privity with a SBE [[~~/Micro Enterprise~~]] on a contract with SBE measures must notify the SBE [[~~/Micro Enterprise~~]] and SBD, in writing, of those amounts billed by the SBE [[~~/Micro Enterprise~~]] which are in dispute, and the specific reasons why they are in dispute, within

fourteen (14) calendar days of submittal of such billing, or by the next scheduled billing whichever comes first. Failure by the County or prime vendor to comply with the applicable requirements of this subsection shall result in the forfeiture of the right to use the dispute as justification for not paying the SBE [[~~/Micro Enterprise~~]] and payment shall be forthcoming from the County or prime vendor as appropriate by the next billing date or 40 calendar days from receipt of billing, whichever is less.

5. An SBE [[~~/Micro Enterprise~~]] may invoice the County or prime vendor, as appropriate, 1% interest per month for any undisputed amount that is not promptly paid.

(j) *Sanctions.* Bid and contract documents shall provide that, notwithstanding any other penalties or sanctions provided by law, a bidder's violation of or failure to comply with this section or its implementing administrative orders may result in the imposition of one or more of the following sanctions:

* * *

4. In the event a bidder, SBE [[~~or Micro Enterprise~~]] attempts to comply with the provisions of this section through fraud, misrepresentation, or material misstatement, the County shall, whenever practicable, terminate the contract or require the termination or cancellation of the subcontract for the project on which the bidder, SBE [[~~or Micro Enterprise~~]] committed such acts. In addition, and as a further sanction, the County may impose any of the above-stated sanctions on any other contracts or subcontracts the bidder, SBE [[~~or Micro Enterprise~~]] has on County projects. In each instance, the bidder, SBE [[~~or Micro Enterprise~~]] shall be responsible for all direct and indirect costs associated with such termination or cancellation including attorney's fees and costs.

The foregoing notwithstanding, the County [[~~Manager~~]]>>Mayor<< shall include language in all prospective contracts containing a SBE subcontractor goal which provides that, in addition to any other sanction for failure to fulfill the SBE subcontractor goal requirements for such contract, the contractor's eligibility to receive any

future County contract shall be conditioned upon the contractor making up the deficit in SBE participation in such future contract by having SBEs perform work equal to double the dollar value of the deficiency in the SBE subcontractor goal in the prior contract. The foregoing obligation shall be in addition to any SBE subcontractor goal otherwise applicable to the future contact.

(k) *Administrative Penalties.* The County [[~~Manager~~]]>>Mayor<< may impose, notwithstanding any other provision of this section, one or more of the following penalties for violation of or noncompliance with this section or its implementing administrative orders and bid documents:

1. The exclusion from county contracting and subcontracting for a specified period of time, not to exceed three (3) years, of a contractor, its individual officers, its shareholders with significant interests, and its affiliated businesses.

2. The loss of eligibility to be certified as an SBE [[~~or Micro Enterprise~~]] for a specified period of time, not to exceed three (3) years, for an applicant or a SBE [[~~or Micro Enterprise~~]], its individual officers, its shareholders with significant interests, and its affiliated businesses.

3. Where a contractor, its individual officers, shareholders with significant interests, or its affiliated businesses, attempts to comply with the provisions of this section through fraud, misrepresentation, or material misstatement, all such individuals and entities participating in the fraud, misrepresentation or material misstatement shall be excluded from County contracting, and SBE [[~~or Micro Enterprise~~]] certification for a specified period of time, not to exceed >>five (5)<<[[~~5~~]] years.

4. If any individual or corporation, partnership or other entity, or any individual officer, shareholder with significant interests, director or partner of such entity or affiliated business of such entity participates in an attempt to comply with the provisions of this section through fraud, misrepresentation, or material misstatement, all such individuals and entities participating in the

fraud, misrepresentation or material misstatement shall be excluded from County contracting, subcontracting, and SBE [[~~or Micro Enterprise~~]] certification, for a specified period of time, not to exceed five (5) years.

* * *

>>**Section 2.** Small Business Development shall prepare and report to the Board after one year as to the impact of the ordinance, and which report shall include success rates of certified firms, and competition among certified firms and between certified firms and non-certified larger firms competing for County contracts.<<

Section 3. 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 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-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 5. 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.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency: APW

Prepared by: dsh

David Stephen Hope

Prime Sponsor: Commissioner Audrey M. Edmonson
Co-Sponsors: Commissioner Daniella Levine Cava
Commissioner Barbara J. Jordan

#1

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/2015 Meeting: _____ Agenda Item #: 8C1

Subject: Greater Miami Service Corp Funding

Name: Gerrocl Bodie

Address: 810 NW 28 Street, Miami FL 33127

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Greater Miami Service Corp
Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#2

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: _____ Agenda Item #: 8C1

Subject: Greater Miami Service Corp Funding

Name: Jerzmeka Terry

Address: 810 NW 28th Miami FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Greater Miami Ser. Corp
Organization Firm Client

Have you registered with the Clerk of the Board? ☑ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#3

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: _____ Agenda Item #: 8C1

Subject: Greater Miami Service Corps Funding

Name: Karla Wright

Address: 810 NW 28st

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#4

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: _____ Agenda Item #: 8C1

Subject: GMSC Funding

Name: Alex Tapanes

Address: 35246 SW 177 ct Lot 111

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

8F4
6/30/15

Office of the Mayor and Village Council

April 14, 2015

RE: Support for File Number: 150352: Recommendation for Approval to Award Contract FB-0002, 60-Foot Articulated Hybrid Buses

To Whom It May Concern:

On behalf of the Village of Palmetto Bay, the Village Council hereby offers its support for the item pending before the Miami-Dade County Board of County Commissioners for the purchase of up to 64 articulated hybrid buses.

Public transportation helps everyone: commuters, families, students, senior citizens, and persons with disabilities. In Palmetto Bay, we are undertaking the redevelopment of our downtown area; public transit is crucial to that effort. It helps revitalize business districts, allows employers to tap into larger workforces, builds economic revenues, and increases property values. Nationwide, public transportation helps reduce our dependence on foreign oil, and provides critical response in emergencies. For individuals, public transportation saves money, and provides people with choices, freedom, and opportunities.

The Village of Palmetto Bay wholeheartedly supports the Resolution passed by the Citizens' Independent Transportation Trust and recommends approval of the award of Contract No: FB-00002 for the purchase of up to 64 hybrid-drive, low-floor, heavy duty mass transit buses, including parts, ancillary items, and training services. Use of these vehicles will enhance Miami-Dade County, as well as Palmetto Bay.

Sincerely,

Mayor Eugene P. Flinn, Jr.

Vice Mayor John DuBois
Councilwoman Karyn Cunningham
Councilman Tim Schaffer
Councilwoman Larissa Siegel Lara

Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, FL 33157
www.palmettobay-fl.gov

(305) 259-1234 **Fax: (305) 259-1290**

Cutler Bay
FLORIDA
ESTABLISHED 2005

Office of the Mayor

Peggy Bell
Mayor

April 14, 2015

Honorable Commissioner Levine-Cava,

I would like to express my support of the recommendation to approve Contract No. FB-00002, Sixty-Foot Articulated Hybrid "Buses" Program to New Flyer of America, Inc. for the purchase of hybrid-drive buses on behalf of Miami-Dade Transit.

The new buses will be used to support Miami-Dade Transit's Bus Rapid Transit Service, including suburban express and general urban area service, which will help alleviate the current buses operating at maximum capacity. In particular, use of these buses will enhance bus service along the South Miami-Dade Busway as (14) of the diesel-electric buses are slated for use throughout the South Dade Community. The solicitation issued was strictly for diesel/electric hybrid buses in order to comply with the federal and state requirements that the buses be more efficient and reduce emissions, beneficial to the environment.

These buses would be an asset towards promoting mass transit system- particularly South Miami-Dade busway, allowing potential to operate more efficiently in serving the public and is supported by existing and future Federal and State grant funds.

Please feel free to contact me with any questions you may have. Thank you in advance for your attention to this matter.

Kind regards,

Peggy Bell
Mayor
Town of Cutler Bay
305-322-5305

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 8(F)(5)

From: Carlos A. Gimenez
Mayor

Subject: Recommendation for Approval to Award: T-Shirts

Recommendation

It is recommended that the Board of County Commissioners (Board) approve award of *Contract No. FB-00151, T-Shirts* to five (5) vendors for the purchase of various types and sizes of t-shirts for youth, men, and women, including applicable logos, for use by multiple County departments. The majority of the t-shirts to be purchased under this contract will serve as departmental uniforms. Additionally, this contract will be used to purchase t-shirts for children enrolled in the County's Summer Camp Program. The solicitation includes two (2) groups: (1) t-shirts purchased with non-federal funds (also a set-aside for certified Small Business Enterprises) and (2) t-shirts purchased with federal funds.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is $1,608,000. The current contract, 8725-4/14, is valued at $1,634,000 for five (5) years and six (6) months. The total allocation under the recommended contract is proportionally higher than the current contract because it includes both the type of t-shirt and the silk screening services (the process of putting a logo on a shirt). The current contract does not bundle that service with the cost of the t-shirt.

Department	Allocation	Funding Source	Contract Manager
Community Action and Human Services	$60,000	Federal Funds	Rick Signori
Community Information and Outreach	253,000	General Fund	Angelica Suarez
Parks, Recreation and Open Spaces	750,000	General Fund	Bill Solomon
PortMiami	250,000	Proprietary Funds	Phillip Rose
Public Housing and Community Development	40,000	Federal Funds	Indira Rajkumar-Futch
Public Works and Waste Management	140,000	General and Proprietary Funds	Olga Espinosa-Anderson
Water and Sewer	115,000	Proprietary Funds	Susan Pascul
Total	**$1,608,000**		

Track Record/Monitor

The Contract Managers for each department are listed in the table above. Abelin Rodriguez of the Internal Services Department is the Procurement Contracting Officer.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendors Recommended for Award

An Invitation to Bid was issued under full and open competition on October 15, 2014. Sixteen (16) bidders responded to the solicitation, six (6) of which were "No Bids." The method of award was to the lowest-priced, responsive and responsible bidder by item. The offers on certain items submitted by BDD & R II, Inc. were deemed non-responsive by the Office of the County Attorney's Office as the firms failed to offer a single bid for those Group 2 items as required by the solicitation. Additionally, due to scrivener's errors in the pricing form, Items 8 and 17 under Group 1 and Item 15 under Group 2 are not being recommended for award. The opinion from the Office of the County Attorney is attached. These items will be re-solicited at a later date.

Awardee	Address	Principal	Awarded Items
BDD & R II, Inc. d/b/a Standing Ovations	3215 NW 10 Terrace Suite 207 Ft. Lauderdale, FL	Robert Eisenshtat	Group 2 Items: 1, 3, 6, 11 and 19
Carily of Miami Uniforms, Inc. (Micro/SBE)	1968 NW 7 Street Miami, FL	Tania Rivas	Group 1 Items: 11 and 21
IGWT Partners, LLC	626 Crosswood Court Murfreesboro, TN	Timothy T. Cole	Group 2 Items: 2, 4, 12 and 19
T-Shirts Plus Color, Inc. (Micro/SBE)	4156 SW 74 Court Miami, FL	Susana E. Grossen	Group 1 Items: 2-7, 9, 12–14 and 18-21 Group 2 Items: 5, 7, 10, 13 and 16-19
The Player's Connection of Florida, LLC (Micro/SBE)	3325 S University Drive Suite 200 Davie, FL	Stacy F. Torres	Group 1 Items: 1, 10, 15, 16 and 21 Group 2 Items: 8, 9, 14 and 19

Vendors Not Recommended for Award

Vendor	Reason for Not Recommending
DesignLab, Inc.	Bid higher than low bid
Global Trading, Inc. (Micro/SBE)	
Paragon Uniform Group, Inc. (Micro/SBE, DBE, LDB)	
Zipp Sporting Goods, Inc.	
Cynsational Dreams, LLC	No Bid
Friar Tux Shop	
Kits for Kidz	
Mitchell Lawrence, Inc.	
Positive Promotions, Inc.	
Tower Sports, LLC	
Town Talk	

Due Diligence

Pursuant to Resolution R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include: convicted Bidders, debarred Bidders, delinquent contractors, suspended Bidders and federal excluded parties. There were no adverse findings relating to Contractor responsibility.

Applicable Ordinances and Contract Measures

- The two (2) percent User Access Program provision applies and will be collected on all purchases where permitted by funding source.
- The Small Business Enterprise Set-Aside applies to Group 1.
- The Living Wage Ordinance does not apply.

Attachment

Edward Marquez
Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: December 30, 2014

To: A. Rodriguez
Procurement Contracting Officer
Internal Services Department

From: Oren Rosenthal
Assistant County Attorney

Subject: ITB No. FB-00151: T-Shirts

You have asked this office if the bids submitted by BDD & R II, Inc. d/b/a Standing Ovations ("Standing Ovations") and Carily of Miami Uniforms, Inc. ("Carily") can be considered responsive to the above Invitation to Bid ("ITB") for those items where these bidders either did not include one or more bids for the sub-items or bid multiple pricing where a single bid was requested. For the reasons set forth below, we conclude that Standing Ovation bids are non-responsive for items listed below. Carily's bids would also be non-responsive but for an error in the ITB bid form. Accordingly, we also conclude that Group 1, Items 8 and 17 and Group 2, Item 15 may not be awarded to any vendor due to an error in the solicitation documents. Those items should be removed from the award and re-solicited.

FACTS

We rely on the information provided in your two separate memoranda dated December 29, 2014 regarding the bidding issues, the terms of the ITB itself and the bids submitted by the bidders. The purpose of the ITB is to establish a contract for t-shirts for various departments and agencies throughout the County. The method of award for this solicitation (Section 2.0, paragraph 2.3) provides that award will be made "on an item-by-item basis" to the "lowest priced responsive, responsible bidder." An "item" is further defined as "the total of all prices for the required sizes and logos." Finally, the ITB provides that "Failure to provide a price for a required size may result in the bid for that item being rejected."

You report that Standing Ovation bid multiple prices for Group 2, Items 12a and 16b rather than providing a single price as required by the ITB and did not include any price for Group 2, Item 18b and 18d. You also reported that Carily did not provide any bids for a requested size in Group 1, Item 17 and Group 2, Item 15.

DISCUSSION

The failure of Standing Ovation to offer a single bid for Group 2, Items 12a and 16b and to offer any bid on all sub-items within Group 2, Items 18b and 18d renders their bid non-responsive for those specific "Items." In general, a bid may be rejected or disregarded if there is a material variance between the proposal and the advertisement. A minor variance, however, will not invalidate the proposal. See Robinson Elec. Co. v. Dade County, 417 So. 2d 1032, 1034 (Fla. 3d DCA 1982). The determination of whether a variance or irregularity is minor is fact specific and may differ from bid to bid. Florida courts have used a two part test to determine if a specific noncompliance in a bid would constitute a substantial

and, thus, nonwaivable issue: (1) whether the effect of the waiver would be to deprive the County of the assurance that the contract would be entered into, performed and guaranteed according to its specific requirements; and (2) whether it would adversely affect competitive bidding by placing a proposer in a position of advantage over other proposers. See Glatstien v. City of Miami, 399 So. 2d 1005 (Fla. 3d DCA 1981).

The failure to include a price for a line item in an award determined by the lowest bidder in the aggregate is such a material deviation that is not waivable. See Matter of: New Shawmut Timber Co., B-286881, 2001 CPD P 42, 2001 WL 185214, *1 (Comp. Gen. Feb. 26, 2001) ("The failure to include a price for a line item evidences a bidder's intent not to be bound or obligated to perform that element of the requirement, and thus generally renders the bid nonresponsive."); Matter of: The Jorgensen Forge Corp., B-255426, 94-1 CPD P 157, 1994 WL 64911, *2 (Comp. Gen. Feb. 28, 1994) ("Where, as here, an IFB provides that award will be made to the low aggregate bidder, a bid that fails to include a price for every item required by the IFB generally must be rejected as nonresponsive since the bidder would not be obligated to provide the item for which it has provided no price.")

As such, based on the facts set forth above, Standing Ovation's bids for the items identified above are nonresponsive. Because the solicitation clearly provided that the awards would be on an item-by-item basis, bids from Standing Ovation for other items (except those discussed below) are still valid and awardable provided they do not suffer from this identified defect.

In addition, upon a review of Carily's bid and the ITB, it is apparent that the bid form was defective for Group 1, Items 8 and 17 and Group 2, Item 15. In those items, the bid form left spaces for the vendor to fill out the bids for the sub-items as well as the direction that the price bid would be for "each" unit on incorrect lines in the bid form. This defect left unclear the manner in which vendors would be proposing on these items and what product a bidder was bidding on. The assignment of any meaning to the bids by any vendor to this bid form would be speculative and any award would be invalid. As a result, all bids for Group 1, Items 8 and 17 and Group 2, Item 15 should be rejected and another solicitation should be issued for these items. The remaining items may be properly awarded to lowest responsive responsible bidder on each item

Oren Rosenthal

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(5)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
✓	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(5)
6-30-15

RESOLUTION NO. _____

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00151 FOR PURCHASE OF T-SHIRTS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED $1,608,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves award of Contract No. FB-00151 for purchase of t-shirts for various County departments as set forth in the incorporated memorandum in a total amount not to exceed $1,608,000.00, and authorizes the County Mayor or County Mayor's designee to give notice of this award, issue the appropriate purchase order to give effect to same and exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract is on file with and available upon request from the Internal Services Department, Procurement Management Services Division.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman, Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Supplement to
Agenda Item No. 8F5

Subject: Supplement to Recommendation for Approval to Award: T-Shirts

This supplement is in response to a discussion between members of the Strategic Planning and Government Operations Committee at their meeting on May 12, 2015 regarding the usage of t-shirts countywide, the amount of revenue from the sale of t-shirts, the purchase of t-shirts by the Community Information and Outreach Department for internal customers, and the use of an Invitation to Bid rather than an open pre-qualification pool.

As requested, staff from the Internal Services Department's Procurement Management Division contacted user departments and asked each department to further explain their allocation for t-shirts and to advise of any revenue obtained from the resale of t-shirts. As part of this exercise, usage of the current contract was re-examined, which resulted in some departments revising their requested allocations to better align with usage on the current contract. In the case of the Community Action and Human Services Department, certain shirts are no longer needed and the associated allocation request was removed.

Department	T-shirts Usage	Original Allocation	Revised Allocation
Community Action and Human Services	Custodians	$60,000	$7,000
Community Information and Outreach	Marketing, public educational, and promotional outreach efforts	253,000	120,000
Parks, Recreation and Open Spaces	Summer campers, staff, and volunteers	750,000	640,000
PortMiami	In-house personnel including custodians, electricians, maintenance mechanics, painters, plumbers, and welders	250,000	75,000
Public Housing and Community Development	In-house personnel including carpenters and plasterers	40,000	19,000
Public Works and Waste Management	In-house personnel including waste attendants, refuse drivers, crane operators, mechanics, electricians, and welders	140,000	82,000
Water and Sewer	Field personnel	115,000	115,000
	Total	**$1,608,000**	**$1,058,000**

Parks, Recreation and Open Spaces, which is the only department that resells t-shirts, has 51 camps during the summer that utilize t-shirts for identification and safety purposes. Each camp uses a different color t-shirt with the name of the park printed on the back of the shirt. When multiple camps go on the same fieldtrip, the different t-shirt colors ensure that the campers can be easily identified. The camp registration fee includes a summer camp t-shirt per child. Additional t-shirts can be purchased for $7.00 each. All the revenue generated by the sale of t-shirts from the summer camps is deposited into the General Fund.

Community Information and Outreach, as the centralized provider of marketing, communication and outreach services, purchases t-shirts on behalf of customer departments as part of integrated marketing campaigns. This is an internal service provided to departments and the cost of purchasing the actual t-shirts is passed on to the requesting department.

This award recommendation is the result of an Invitation to Bid. The method of award was to the lowest-priced, responsive and responsible bidder by item in the two (2) groups: Group 1-Non-federally Funded and Group 2-Federally Funded. Each item represented a particular style of t-shirt along with additional product specifications such as sizes, logo, silk screening, and colors. The t-shirt styles were defined by brand, material, pockets, sleeve length, neck style, stitching, brand, etc.

As noted at the Committee meeting, this solicitation was not a pre-qualification pool since the product specifications were established for the goods needed. When this level of certainty exists and there is no need for a qualitative review of offers, a price competition is used. An open pool is generally used when exact products and/or the quantities are not known.

While there was discussion regarding local participation, it should be noted that four (4) of the five (5) firms recommended have a principal business address in either Miami-Dade or Broward County. All of Group 1 was set-aside for Small Business Enterprises. Three (3) of the five (5) firms being awarded are registered Micro Business Enterprises with the County.

Lastly, at the Committee meeting, the owner of Holsen, Inc., Mr. Hosendolph, stated that, as an incumbent vendor awarded under the current contract, he was not notified of the replacement solicitation. The Internal Services Department's Small Business Development Division contacted all of the small business firms registered under the t-shirt commodity, including Holsen, Inc., to confirm that they would be able to supply the goods as listed in the replacement solicitation. Mr. Hosendolph acknowledged receipt of the Small Business Development Division's communication on June 17, 2014 confirming that his firm could participate. All bidders registered under the t-shirt commodity, including Holsen, Inc., received notification from the County's electronic bidding system (BidSync) on October 16, 2014, indicating that the solicitation for t-shirts was advertised and bids were being accepted.

Edward Marquez
Deputy Mayor

MEMORANDUM

Agenda Item No. 8(G)(1)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving terms of Interlocal Agreement between Miami-Dade County and South Florida Regional Transportation Authority for the provision of financial support not to exceed $13,900,000.00 for the Tri-Rail Downtown Miami link station improvements at the Miami Central Station; authorizing County Mayor to execute same and exercise provisions contained therein; and authorizing the Use of Charter County Transportation Surtax Funds for such purpose

The accompanying resolution was prepared by Office of Management and Budget Department and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

/

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Interlocal Agreement with South Florida Regional Transportation Authority for Financial Support for Tri-Rail Downtown Miami Service and Authorizing Use of Charter County Transportation Surtax Funds

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Recommendation
It is recommended that the Board of County Commissioners (Board) approve a resolution authorizing execution of the attached interlocal agreement with the South Florida Regional Transportation Authority (SFRTA) to provide financial support for the Tri-Rail Downtown Miami Service expansion.

This item is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This item may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration, or 45 days have elapsed since the filing with the Clerk of the Board of this item. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this item, I will request a withdrawal of this item. This item is scheduled for the June 2015 CITT meeting.

Scope of Agenda Item
The Miami Central Station lies within Commission Districts 3 and 5, which are represented by Commissioner Audrey M. Edmonson and Commissioner Bruno A. Barreiro, respectively.

Fiscal Impact/Funding Source
The SFRTA has submitted a request for $13.9 million from Miami-Dade County to support the construction of two (2) platforms to allow for Tri-Rail service to be provided in the planned Miami Central Station. The source of funds to support the payments outline in this interlocal agreement is Charter County Transportation Surtax funds, specifically the Capital Expansion Fund.

Track Record/Monitor
Compliance with the terms of the interlocal agreement will be monitored jointly by the Office of the Citizens' Independent Transportation Trust, headed by Charles Scurr, Executive Director, and Miami-Dade Transit, headed by Ysela Llort, Director.

Background
A unique opportunity has presented itself to allow Miami-Dade County to support the development of infrastructure that will provide the foundation for a public transit link from Downtown Miami to the northeast areas of the county. As part of the development of the Miami Central Station – a privately funded multi-modal transportation hub – the construction of two (2) additional train platforms will allow for the immediate connection of the current Tri-Rail service to Downtown Miami, as well as provide the facilities needed to support the planned coastal link that will ultimately take Tri-Rail service north along the Florida East Coast (FEC) railway corridor to Jupiter.

A series of events has led us to this unprecedented opportunity. Substantial improvements have been made to existing tracks linking the Port of Miami to the FEC railway, including portions of the CSX

Corporation's rail corridor on which Tri-Rail currently operates. Also, Florida East Coast Industries, which is building the Miami Central Station for the All Aboard Florida inter-city rail service from Miami to Orlando, has offered free land and discounted railroad access, as well as funding the infrastructure needed within the station to support the Tri-Rail platforms, if SFRTA can fund the marginal construction cost of the additional platforms and a prorated portion of the infrastructure to be shared between SFRTA and All Aboard Florida. Florida East Coast Industries/All Aboard Florida has agreed to advance any funding necessary for construction, as long as agreements are in place with SFRTA to reimburse costs once the service has been established. The value of the contributions by Florida East Coast Industries/All Aboard Florida is estimated to be approximately $25 million.

The total cost of the project, including the associated trackage and expansion of the Miami Central Station to allow for two (2) additional platforms to accommodate the Tri-Rail connection, is $68.9 million. SFRTA has already identified a total of $21.8 million from a combination of SFRTA funds and a contribution from the Florida Department of Transportation for the track improvements needed to connect the current service to Downtown Miami. The platform construction and station infrastructure will be funded through a collaborative effort of a number of agencies currently including, but not limited to, contributions from the Southeast Overtown Park West Community Redevelopment Agency ($17.5 million), the OMNI Community Redevelopment Agency ($3 million), the City of Miami ($7.167 million) and the Downtown Development Authority ($1.267 million). It should be noted that this interlocal agreement is contingent upon SFRTA coming to agreement with all other funding parties and full funding is guaranteed.

The interlocal agreement outlines a quarterly reimbursement of project cost not to exceed $13.9 million, based upon invoices provided by SFRTA beginning October 1, 2015. SFRTA will ensure that construction of the improvements will follow all applicable guidelines for public information and involvement and disadvantaged business enterprise requirements. SFRTA will be solely responsible for the operations and maintenance of the improvements. The County will retain 15 percent of the funding for final payment due once SFRTA has issued a final acceptance of the improvements and revenue operations have begun, anticipated to be on or before March 31, 2017. Any cost overruns are the responsibility of SFRTA and All Aboard Florida and any cost savings will be proportionally shared by the funding partners.

Separate and apart from this agreement, my Administration is working with Florida East Coast Industries/All Aboard Florida to determine connectivity issues between our Metrorail Government Center and Overtown stations and the Miami Central Station, as well as discussions regarding a proposed parking garage and bus station facility. Any necessary agreements regarding these activities will be brought to the Board for consideration at some point in the future.

Edward Marquez
Deputy Mayor

Attachments

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(G)(1)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(G)(1)
6-30-15

RESOLUTION NO. _____

RESOLUTION APPROVING TERMS OF INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE PROVISION OF FINANCIAL SUPPORT NOT TO EXCEED $13,900,000.00 FOR THE TRI-RAIL DOWNTOWN MIAMI LINK STATION IMPROVEMENTS AT THE MIAMI CENTRAL STATION; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board (a) approves the Interlocal Agreement between Miami-Dade County and the South Florida Regional Transportation Authority, in substantially the form attached hereto and incorporated herein by this reference, for the provision of financial support not to exceed $13,900,000.00 for the Tri-Rail Downtown Miami Link Station improvements at the Miami Central Station; (b) authorizes the County Mayor or County Mayor's designee to execute same and exercise the provisions contained therein; and (c) authorizes the use of Charter County Transportation Surtax Funds for such purpose.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

b

INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE TRI-RAIL DOWNTOWN MIAMI LINK STATION IMPROVEMENTS AT THE MIAMI CENTRAL STATION

This AGREEMENT ("Agreement"), made and entered into this ____ day of ___, 2015, by and between MIAMI-DADE COUNTY, a political subdivision of the STATE OF FLORIDA, hereinafter referred to as the "County", and the SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, a body politic and corporate and an agency of the State of Florida created pursuant to Chapter 343, Florida Statutes, hereinafter referred to as "SFRTA" and collectively hereinafter referred to as the "Parties".

WITNESSETH

WHEREAS, both Parties herein wish to facilitate the design and construction of additional platform improvements to the proposed Miami Central Station in order to accommodate future Tri-Rail commuter rail service (the "Improvements") via the Florida East Coast Railway ("FECR") corridor to downtown Miami (referred to herein as the "Tri-Rail Downtown Miami Link Service");

WHEREAS, it is estimated that the required design and construction of the necessary Improvements for the Tri-Rail Downtown Miami Link Service will cost an estimated Forty Eight Million Nine Hundred Thousand Dollars ($48,900,000.00) (the "Estimated Cost") and shall consist of the following: (i) a 62,000 sq. ft. platform and associated trackage for Tri-Rail commuter trains; (ii) mezzanine level consisting of columns and related structures which support the Tri-Rail platform and associated trackage; and (iii) related Miami Central Station

elements including, but not limited to, portions of elevators, escalators, support spaces, and storage areas, all as more particularly described in Exhibit "A"; and

WHEREAS, collectively, All Aboard Florida ("AAF") and FECR have agreed to contribute (i) the land required to accommodate the Improvements, (ii) a reduced access fee for SFRTA's use of the FECR corridor, (iii) the financial carrying costs for the Improvements, (iv) a pro-rated cost sharing for the Miami Central Station infrastructure (the applicable portion of which is included in the Improvements) that will be shared with SFRTA, and (v) any cost overruns over the Estimated Cost, which in total represent financial contribution to SFRTA in excess of Twenty-Five Million and No Dollars ($25,000,000.00); and

WHEREAS, pursuant to its agreement with SFRTA, AAF has agreed to assume all liability for any costs of in excess of the Estimated Cost of the Improvements; and

WHEREAS, the County wishes to provide financial assistance, i.e. the Funds, as hereinafter defined, to SFRTA for the timely completion of the Improvements given the regional transportation benefits associated therewith, the catalytic impact the Improvements will have on future development in downtown Miami, and the transformative nature of the entire Miami Central Station, including both AAF's portion and the Station Improvements (collectively referred to as the "Project"), subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the promises and covenants contained herein, the Parties agree:

1. RESPONSIBILITY OF SFRTA:

1.1 **Permits and Approvals**: SFRTA intends to procure the design and construction of the Improvements as a sole source by entering into a contract with AAF, the owner

of the property on which the Improvements will be located and the entity that will be designing, permitting and constructing the Project, of which the Improvements are a part. SFRTA shall ensure that (i) AAF, on behalf of SFRTA, shall obtain all necessary permits and approvals, and shall coordinate the review of design and construction documents by the applicable agencies; and (ii). AAF, subject to SFRTA's approval, shall make all necessary adjustments as required for approval and/or permitting by the applicable agencies.

1.2 **Public Information and Involvement**: Prior to and during construction of the Improvements, SFRTA shall ensure that AAF will provide, on SFRTA's behalf, information to adjacent property owners and area residents about the scope of the proposed Improvements. However, consistent with the exemptions for transit projects located within stations for transit facilities outlined in Implementing Order 10-13, SFRTA, or its agent(s), shall not be required to prepare and submit a Public Involvement Plan.

1.3 **Communications**: SFRTA agrees that it shall ensure that all its publicity, public relations, advertisements and signs recognize and reference both the County and the Citizens' Independent Transportation Trust ("CITT") for their funding support of the Improvements. Such acknowledgment shall include, but is not limited to, all posted signs, pamphlets, wall plaques, cornerstones, dedications, notices, flyers, brochures, news releases, media packages, promotions, and stationary. The use of the official County and CITT logos is permissible for the publicity purposes stated herein. SFRTA, or its agents, shall submit samples or mock-ups of such publicity or

materials to the CITT for review and approval. SFRTA shall ensure that all media representatives, when inquiring about the Improvements, are informed that both the County and CITT have contributed the Funds (as defined herein), which represent a portion of the total funding for the Improvements. Permanent signage at the station, such as a dedication plaque, shall also appropriately recognize the contributions of the County/CITT.

1.4 **Accounting**: SFRTA shall at all times maintain a separate accounting of the use of the Funds so those costs and the use of the Funds may be independently verified and audited by the County at its request. SFRTA agrees to permit such auditors to inspect the books, records and accounts of the Improvements for five (5) years after completion of the Improvements, or receipt of Final Payment by the County or any other party providing funding for the construction of the Improvements, whichever is later. These records shall be made available to County for inspection within thirty (30) business days upon written receipt of a written request from the County.

1.5 **Contracting for Improvements**: The County agrees that the selection, contracting, retention and discharge of AAF shall be the sole responsibility of SFRTA.

1.6 **Claims and Change Orders**: The County shall bear no responsibility for any claims or change orders that may arise.

1.7 **Disadvantaged Business Enterprise:** SFRTA shall require AAF to comply with the SFRTA disadvantaged business enterprise ("DBE") requirements, which are attached hereto as Exhibit "B."

1.8 **Construction Administration and Inspection**: SFRTA shall exercise all responsibilities of the owner under the design and construction contract for the Improvements, including construction administration, inspections, and all required safety and operational certifications. SFRTA may delegate this function to an authorized agent or Construction Engineering Inspection consultant. The County, at its sole cost and expense, may assign an inspector to participate in the routine daily inspections. SFRTA's designated representative and the County's designated representative shall jointly perform the inspection of the Improvements which immediately precedes substantial completion. SFRTA, or its agent(s), shall certify upon completion that the Improvements have been constructed pursuant to the design plans, specifications and any change orders approved by SFRTA, or its agent(s). SFRTA shall provide Quarterly Reports to the County/CITT on the progress of the project.

1.9 **Maintenance and Operations**: SFRTA shall be solely responsible for maintenance and operations of the Improvements upon Final Acceptance, as that term is defined in the agreement between SFRTA and AAF. As such, SFRTA, and not the County, shall be responsible for all claims, demands, liabilities and suits arising from allegations or suits in tort as to the condition of the Improvements.

2. **RESPONSIBILITIES OF COUNTY**:

2.1 **Funding Amount, Reimbursement of Project Costs**: The County agrees to reimburse SFRTA in an amount not to exceed Thirteen Million Nine Hundred Thousand and No Dollars ($13,900,000.00) for eligible costs, as outlined herein,

incurred for the design and construction of the Improvements (the "Funds"). The County shall reimburse the Funds to SFRTA in the manner set forth in Section 4. The County shall incur no liability for any costs overruns in excess of said Funds. In the event the actual costs of the Improvements are less than the Estimated Cost, then the County shall be entitled to share in such cost savings in an amount equivalent to its proportionate contribution to the Estimate Cost of the Improvements. Repayment of any Funds due and owing to the County for such cost savings shall be off-set against the amount of the Final Payment, as such term is hereinafter defined.

2.2 **County Payments of Improvement Costs**: The Funds shall be provided to SFRTA in fiscal years 2015-2016 and 2016-2017 from available proceeds of the Charter County Sales Surtax Capital Expansion Reserve Fund, or such other source as the County determines. The County's payments are in consideration for the completion of the Improvements and revenue operations of the Tri-Rail commuter rail service into the Miami Central Station.

3. **ELIGIBLE COSTS**: The Parties agree that only expenses incurred by SFRTA that are directly related to the design and construction of the Improvements are eligible for reimbursement from the Funds, provided adequate documentation accompanies the reimbursement request in the form of approved invoices, verified payment requests, documented journal entries, and/or check vouchers.

4. **SCHEDULE AND MANNER OF REIMBURSEMENTS**: SFRTA shall furnish the County with a copy of the estimated budget for the Improvements, and, thereafter, shall similarly furnish the County with any and all revisions thereto. SFRTA shall also provide to the

County a schedule of values identifying quarterly design and construction milestones and the anticipated construction expenditures payout schedule for such milestones for the Improvements. Quarterly disbursement of Funds by the County/CITT shall be based upon invoices provided by SFRTA accompanied by certified copies of paid contractor invoices for eligible costs (the "Reimbursement Request"). Each Reimbursement Request shall also include a certified copy of all payments made to sub-contracted firms during the reimbursement period. Reimbursement Requests shall be submitted no sooner than October 1, 2015. Payment of Funds by the County upon submittal of a Reimbursement Request by SFRTA shall not exceed the County's proportionate share of the Estimated Cost of the Improvements.

Notwithstanding the receipt of a Reimbursement Request from SFRTA for payment of Funds, the County shall withhold funds in an amount equivalent to fifteen percent (15%) of the Funds or not less than Two Million Eighty Five Thousand Dollars ($2,085,000.00) (the "Final Payment"). Issuance of the Final Payment to SFRTA shall be subject to the satisfaction of the following conditions: (a) Final Acceptance of the Improvements by SFRTA, which is presently estimated to occur on or before December 31, 2016 ("Construction Completion Date"); and (b) the start of revenue operations of the Tri-Rail commuter rail service into the Miami Central Station, which service is presently estimated to commence on or before March 31, 2017 (the "Service Commencement Date") (where (a) and (b) are collectively defined as the "Conditions of Final Payment").

5. **COMPLIANCE WITH LAWS**: The Parties shall comply with applicable federal, state, and local laws, codes, ordinances, rules and regulations in performing their respective duties, responsibilities, and obligations pursuant to this Agreement and with all applicable laws relating to the Improvements. The Parties shall not unlawfully discriminate in the performance of their respective duties under this Agreement.

6. **APPROVALS**: Unless waived by action of the County, this Agreement shall only become effective upon approval by the CITT and the Board of County Commissioners and the SFRTA Governing Board. In the event the Agreement is not approved, the Agreement shall be null and void and be of no force or effect. The Parties also agree that this Agreement shall be conditioned upon approval of all applicable agreements for the Improvements, including the sole source agreement between AAF and SFRTA for the Station Improvements, the loan agreement with an AAF affiliate for a loan for the cost of some of the Improvements, the agreement between AAF, FECR, FDOT and SFRTA for the Improvements and operations and maintenance on the FECR corridor, a separate agreement with FECR (if necessary) for the rail infrastructure improvements and all other funding agreements with other funding partners and SFRTA for the Improvements.

7. **INDEMNIFICATION:** To the extent authorized by Florida law and all limitations thereunder, SFRTA hereby agrees to indemnify, defend, save and hold harmless the County and CITT and their respective officers, agents or employees from all claims, demands, liabilities and suits of any nature whatsoever arising out of, because of or due to the negligence of SFRTA, its officers, agents or employees. It is specifically

understood and agreed that this indemnification clause does not cover or indemnify the County for its sole negligence.

To the extent authorized by Florida law and subject to all limitations included in Section 768.28, Florida Statutes, the County hereby agrees to indemnify, defend, save and hold harmless the SFRTA to the extent of all the limitations included in Section 768.28, Florida Statutes, from all claims, demands, liabilities and suits of any nature whatsoever arising out of, because of or due to the negligence of the County, its officers, agents or employees. It is specifically understood and agreed that this indemnification clause does not cover or indemnify the SFRTA for its sole negligence.

In the event of breach or non-performance by the persons selected by SFRTA to perform the design and construction of the Improvements, SFRTA shall, upon written request by the County assign to the County any and all rights under the affected contract for purposes of the County's prosecution of claims, actions or causes of action resulting from such breach or non-performance unless SFRTA, at its option, pursues such claims, actions or causes of action through arbitration, administrative proceeding or lawsuit. SFRTA agrees to cooperate fully with the County in the prosecution of any such claim or action. Any damages recovered by the County in the prosecution of any such claim or action which is attributable to any expenditure by SFRTA shall be returned to SFRTA by the County within sixty (60) business days of receipt of such payment for damages recovered.

8. **DEFAULT:** If through any cause within the reasonable control of SFRTA, SFRTA shall fail to fulfill in a timely and proper manner, or otherwise violate any of the covenants,

agreements, or stipulations which are material to this Agreement, the County may thereupon give written notice to SFRTA of such default and specify what actions must be taken to cure said default to avoid termination hereunder. SFRTA shall have sixty (60) days to cure said default or such additional period authorized by the County. In the event that SFRTA shall not have cured said default to the satisfaction of the County by such deadline, then this Agreement may be terminated by the County upon notice of termination to SFRTA.

If through any cause within the reasonable control of the County, the County shall fail to fulfill in a timely and proper manner, or otherwise violate any of the covenants, agreements, or stipulations which are material to this Agreement, SFRTA may thereupon give written notice to the County of such default and specify what actions must be taken to cure said default and avoid termination hereunder. The County shall have sixty (60) days to cure or additional period authorized by SFRTA. In the event that the County shall not have cured said default by such deadline, then this Agreement may be terminated by SFRTA upon notice of termination to County.

In the event either party terminates this Agreement for cause, the terminating party shall have all remedies available to it under State law against the party being terminated and the party being terminated shall have available all rights available under State law to defend itself if the terminating party seeks to have any remedies opposed on it.

9. **DISPUTE RESOLUTION, APPLICABLE LAW**: The Parties shall resolve any disputes, controversies or claims between them arising out of this Agreement in accordance with

the "Florida Governmental Conflict Resolution Act", Chapter 164, Florida Statutes, as amended. This Agreement shall be governed by the laws of the State of Florida. Venue in any proceedings shall be in Miami-Dade, Florida. Each Party will bear its own attorney's fees.

10. **ENTIRE AGREEMENT, AMENDMENTS**: This document incorporates and includes all prior negotiations, correspondence, conversations, agreements and understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this agreement that are not contained in this document. Accordingly, the Parties agree that no deviation from the terms thereof shall be predicated upon any prior representation or agreements, whether oral or written. It is further agreed that no modification, amendment or alteration in the terms contained herein shall be effective unless set forth in writing in accordance with this section. No modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the Parties.

11. **JOINT PREPARATION**: The Parties acknowledge that they have sought and received whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations herein and that the preparation of this Agreement has been their joint effort. The language agreed to expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties from the other.

12. **SEVERANCE**: In the event a portion of this Agreement is found to be invalid by a court of competent jurisdiction, the remaining provisions shall continue to be effective unless the SFRTA or County elect to terminate this Agreement. An election to terminate this Agreement based upon this provision shall be made within seven (7) business days after the finding by the court becomes final.

13. **TERM OF AGREEMENT.** This Agreement shall expire upon the receipt of all of the Funds by SFRTA, except Section 1.4, entitled "Accounting" which shall survive for the stated audit period of five (5) years.

14. **NOTICES**: Any and all notices required to be given under this Agreement shall be sent via email, facsimilie, hand delivery, FedEx, or U.S. Mail with return receipt , addressed as follows:

To the County:

Attention: Miami-Dade County
c/o Alina Hudak, Deputy Mayor
Stephen P. Clark Center
111 N.W. First Street, Ste 2900
Miami, FL 33128
(305) 375-2531

With a copy to:

Attention: Citizens' Independent Transportation Trust
c/o Charles D. Scurr, Executive Director
Stephen P. Clark Center
111 N.W. First Street, Ste. 1010
Miami, FL 33128
(305) 375-1357

To the SFRTA:

Attention: Jack Stephens, Executive Director
South Florida Regional Transportation Authority
800 N.W. 33rd Street
Pompano Beach, FL 33064

(954) 942-7245

With a copy to:

Attention: Teresa J. Moore, Esq., General Counsel
South Florida Regional Transportation Authority
800 N.W. 33rd Street
Pompano Beach, FL 33064

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the Parties hereto set their hands and official seals the day and year first above written:

MIAMI-DADE COUNTY

ATTEST:

HARVEY RUVIN
CLERK OF THE BOARD

BY:_____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY:_____
County Mayor or County Mayor's Designee

Approved by County Attorney
as to form and legal sufficiency

_____
County Attorney

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

ATTEST:

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, an agency of the State of Florida

BY:_____
Clerk

BY:_____
Commissioner Bruno Barreiro, Chair

Approved by General Counsel as to legal form and sufficiency:

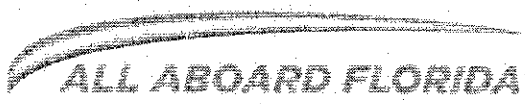
_____
Teresa J. Moore, Esq.
General Counsel

#4276450 v1

Exhibit "A"

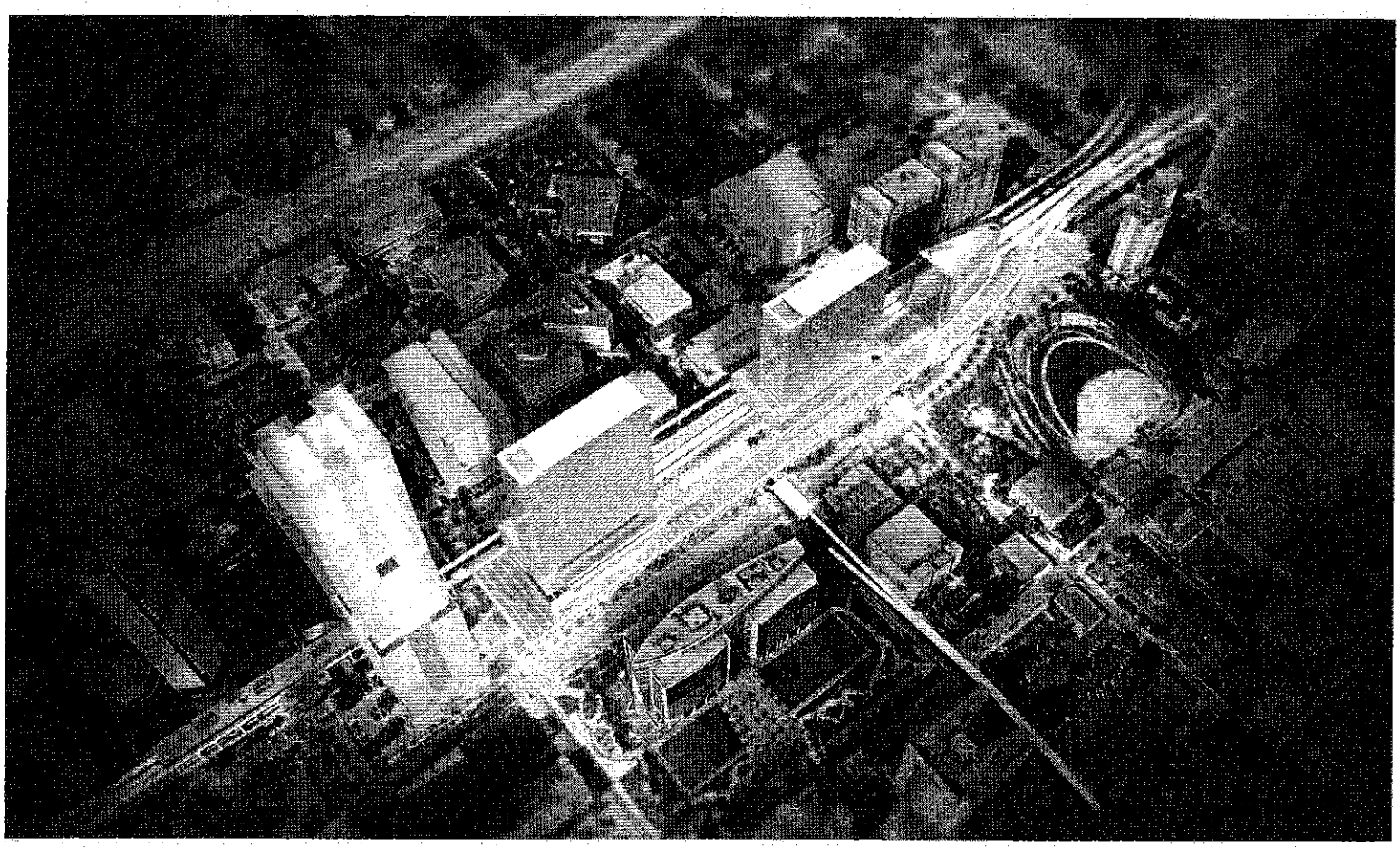
Description of the Improvements

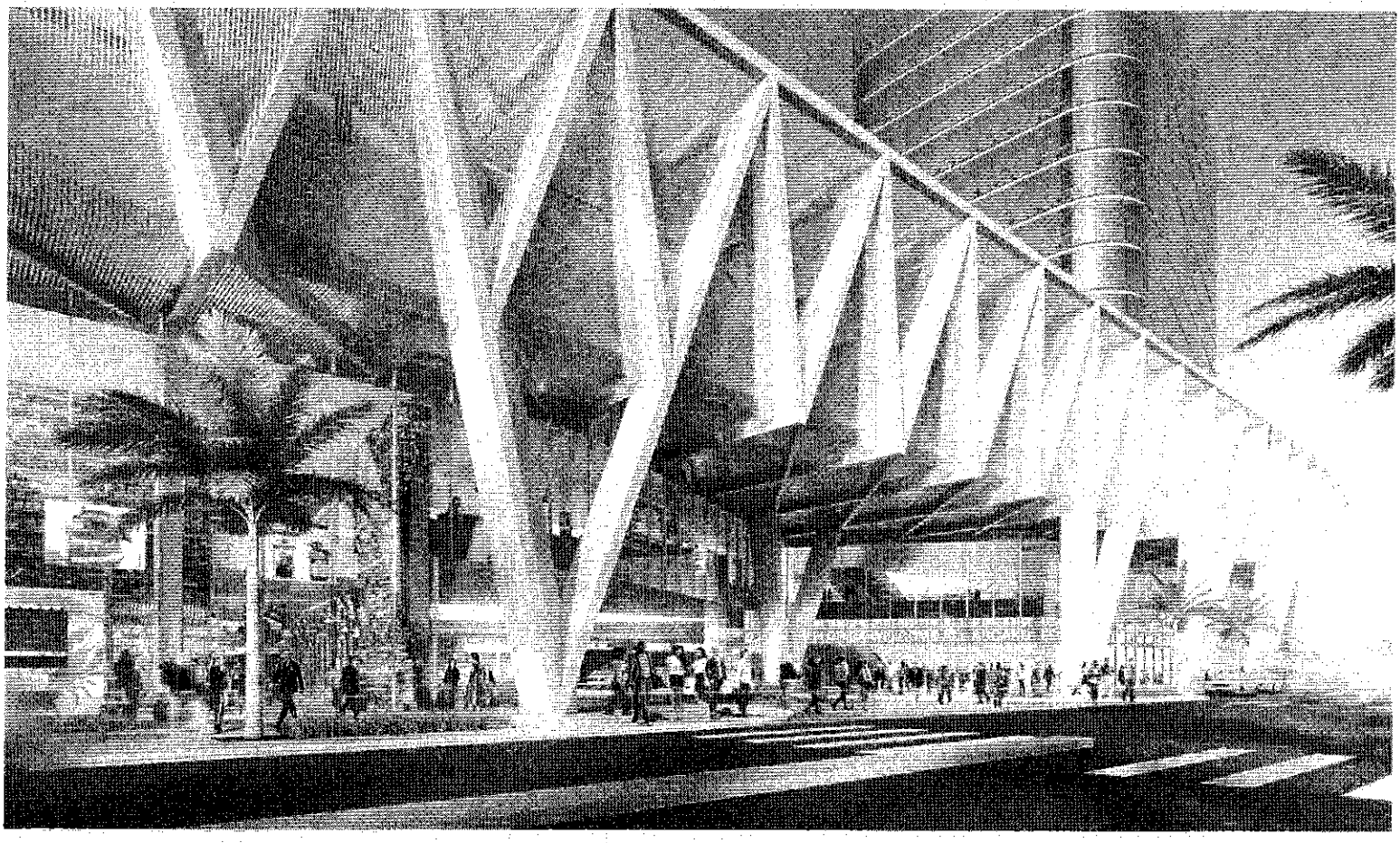
EXHIBIT A

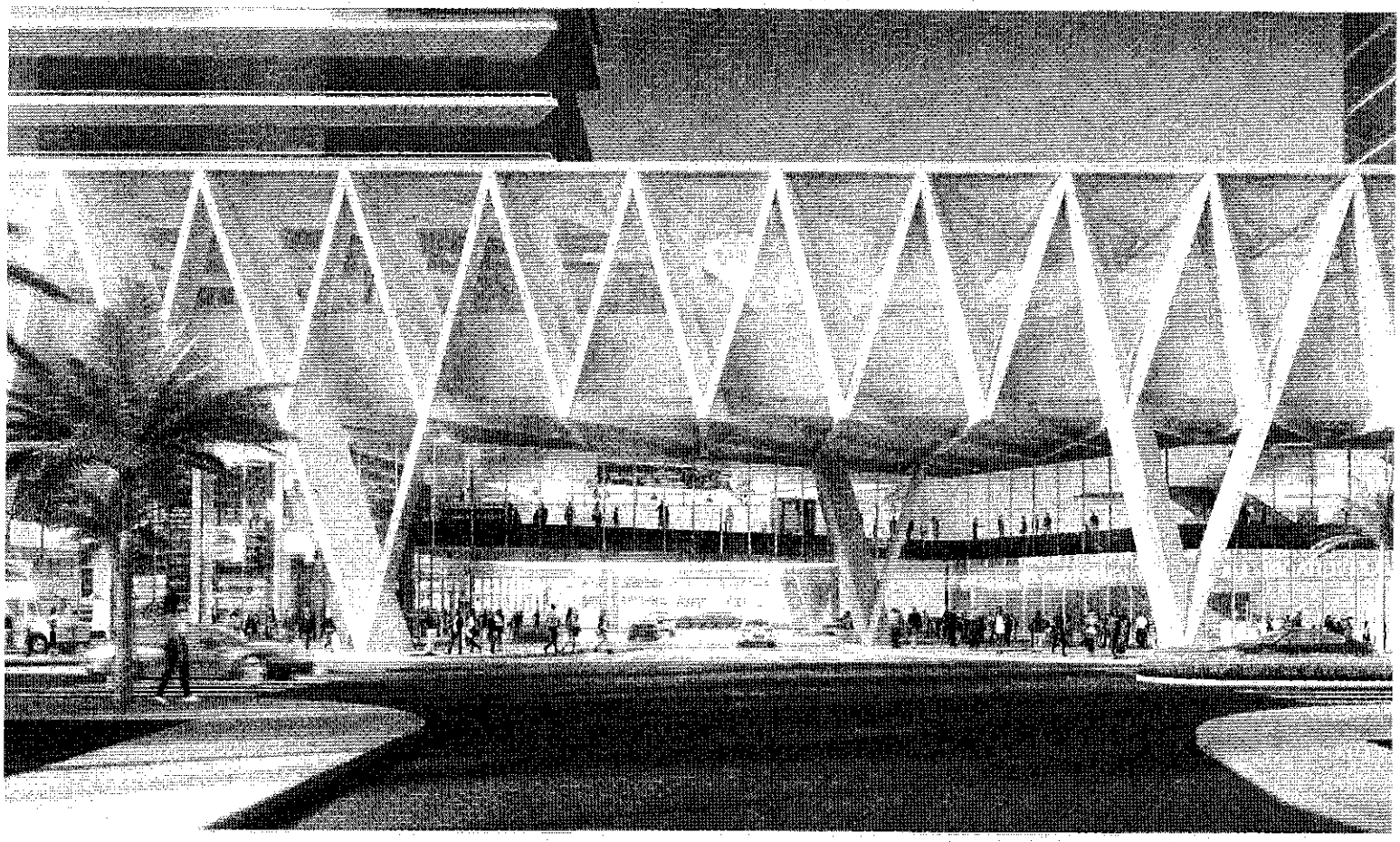


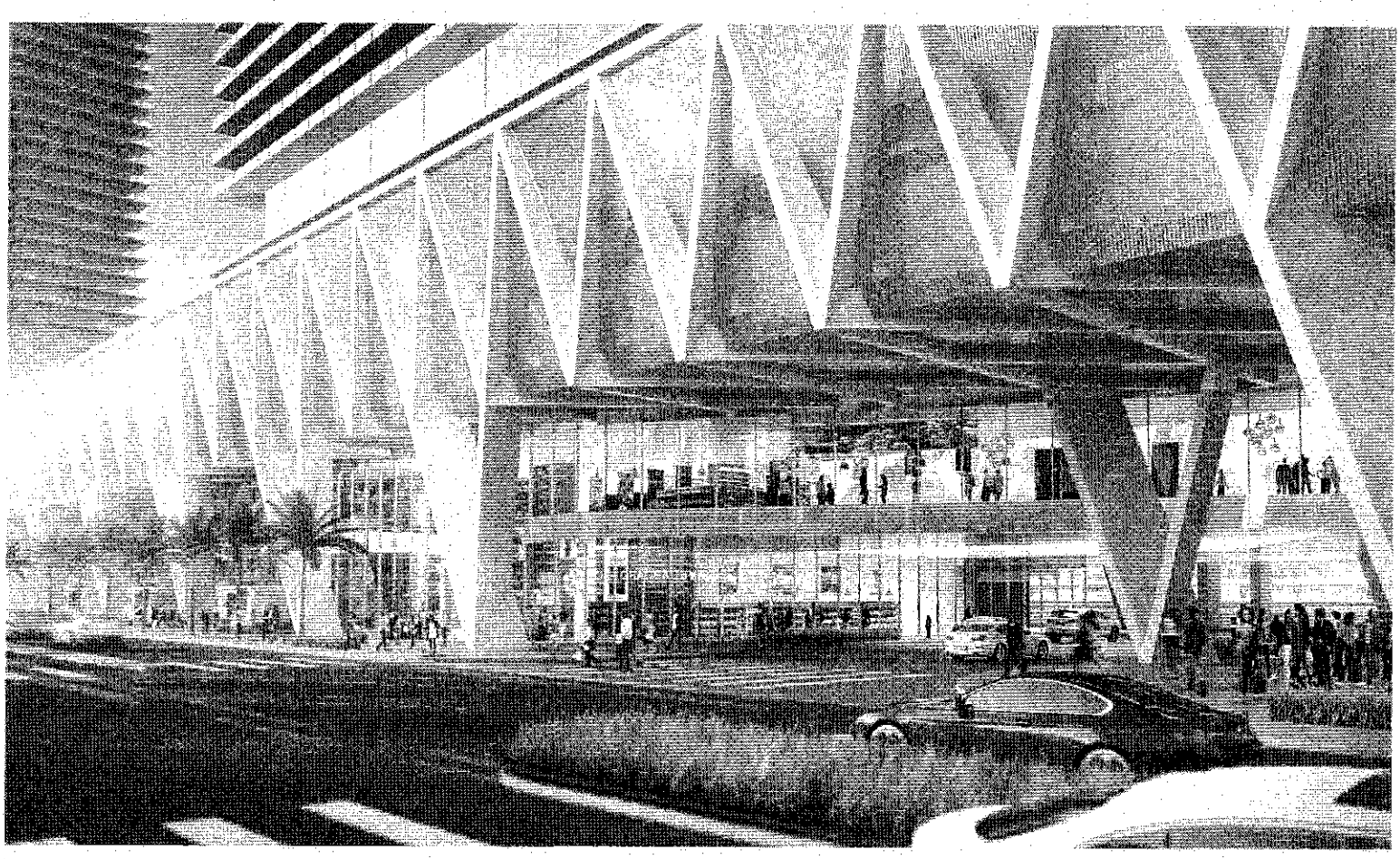


OCTOBER 3, 2014



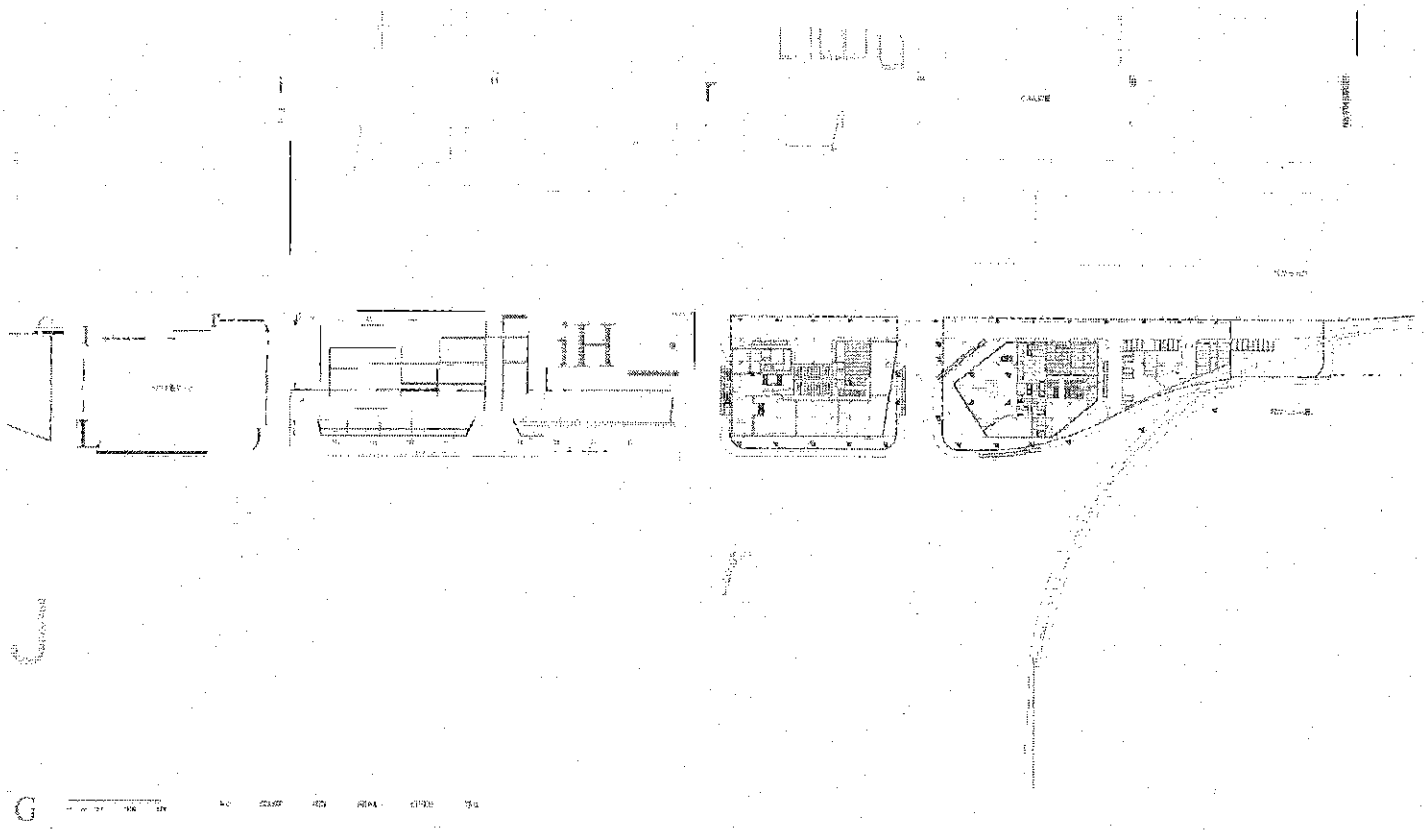






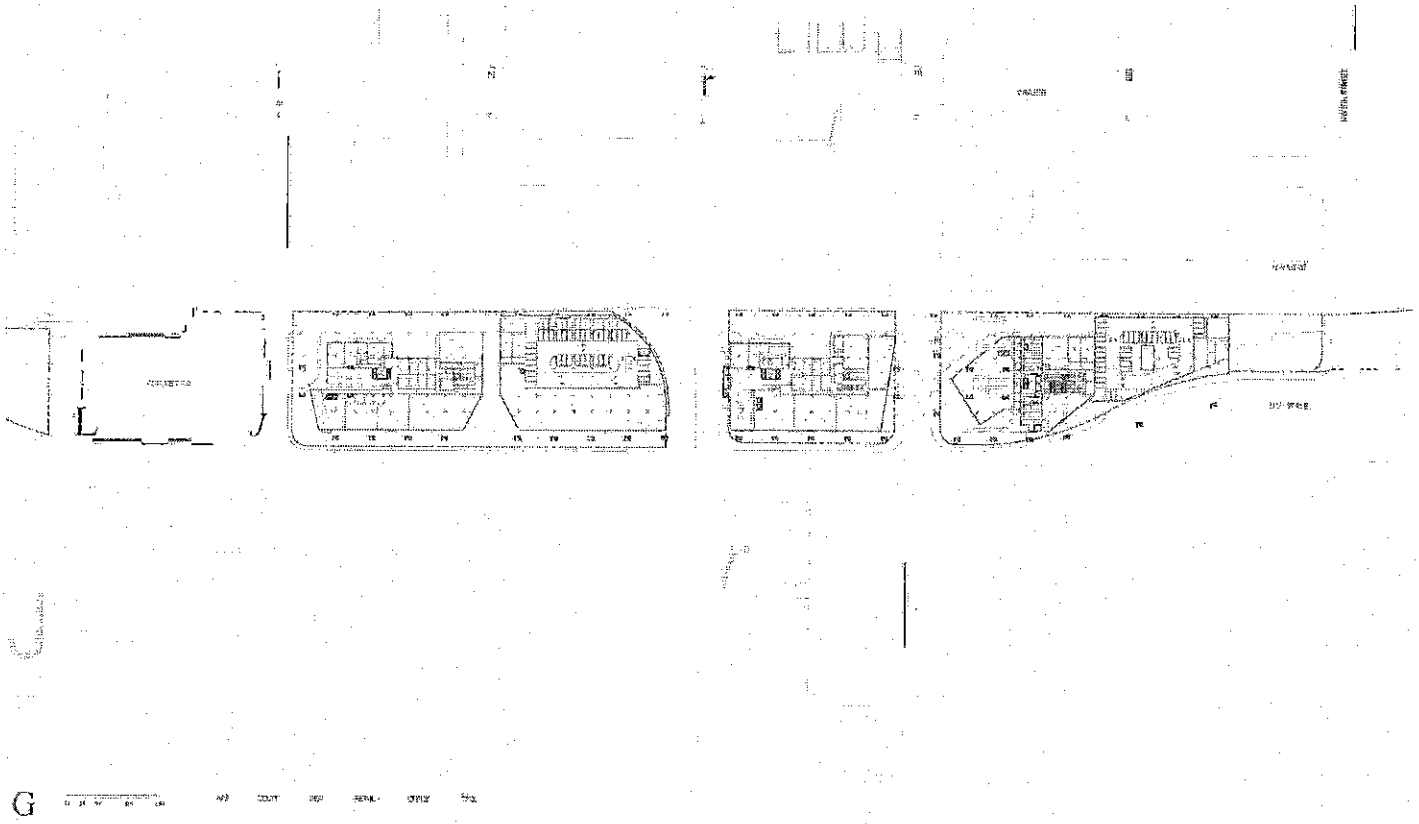
PHASE 1 DEVELOPMENT PLANNING

GROUND LEVEL



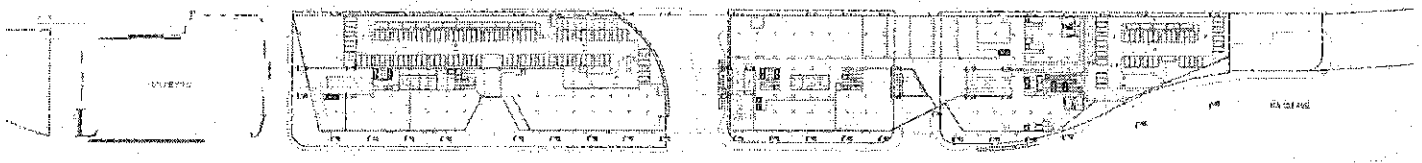
PHASE 1 DEVELOPMENT PLANNING

PARKING MEZZANINE LEVEL



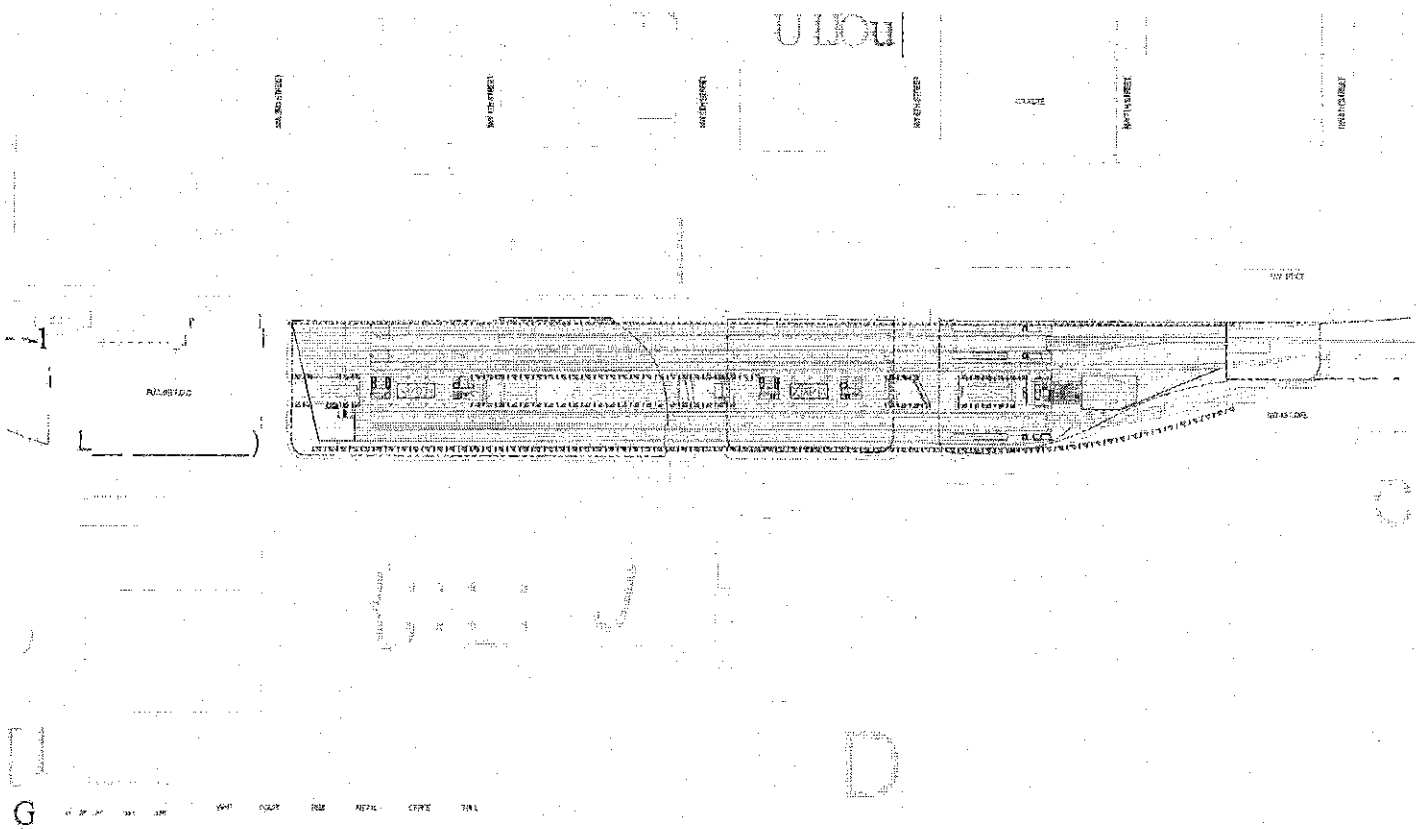
PHASE 1 DEVELOPMENT PLANNING

MEZZANINE LEVEL



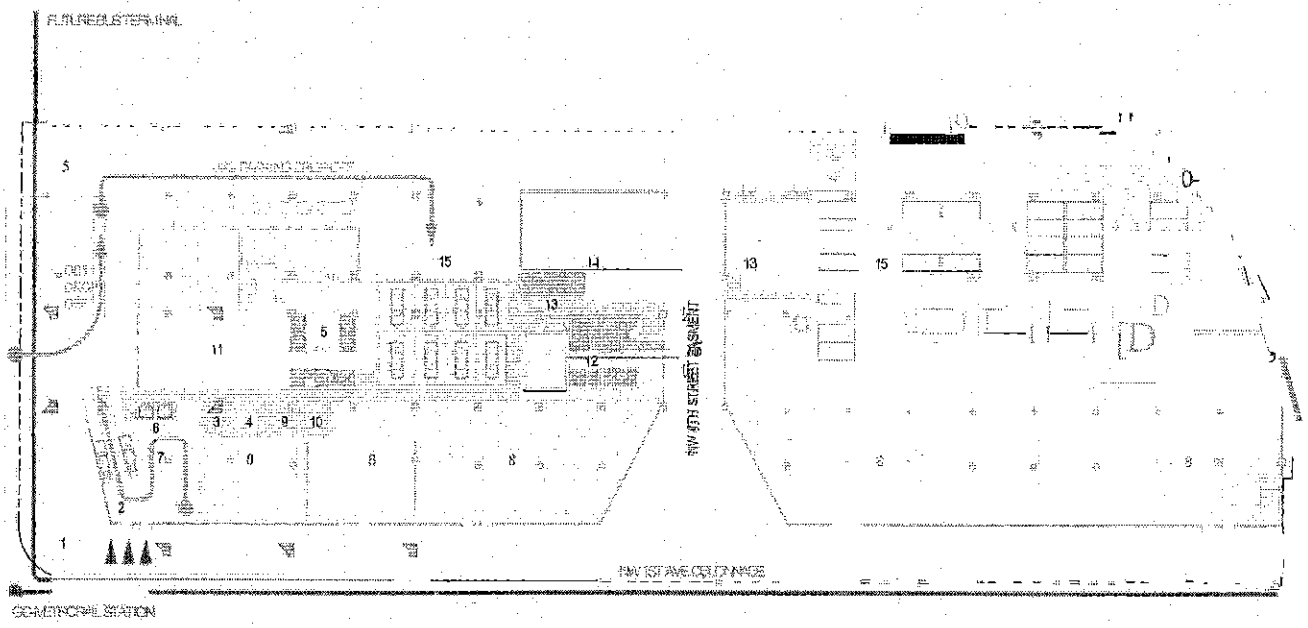
PHASE 1 DEVELOPMENT PLANNING

PLATFORM LEVEL



STATION PLANNING

GROUND LEVEL SOUTH CONCOURSE - A AND B BLOCKS



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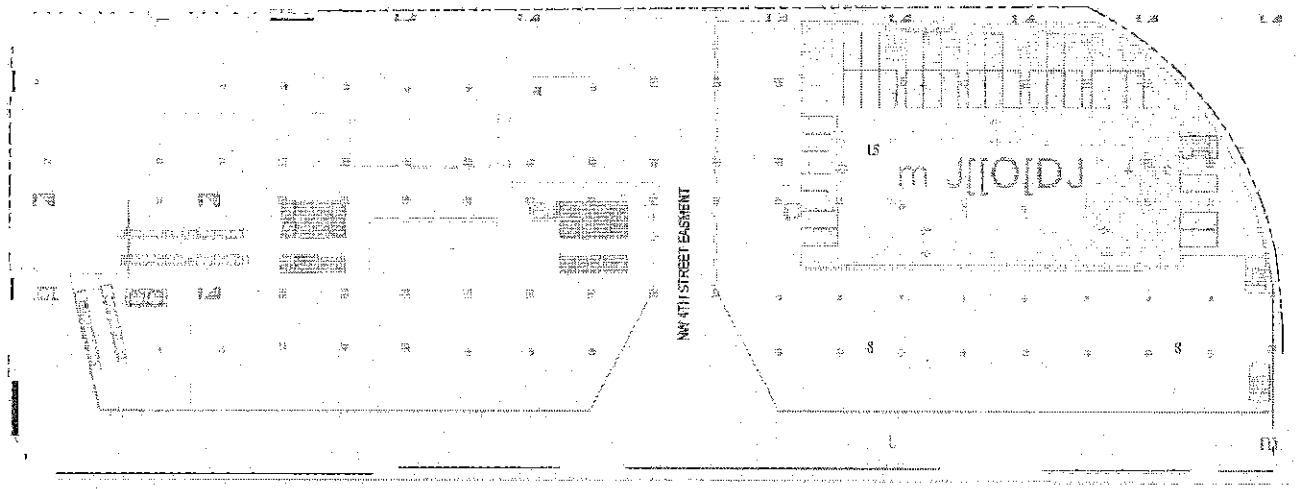
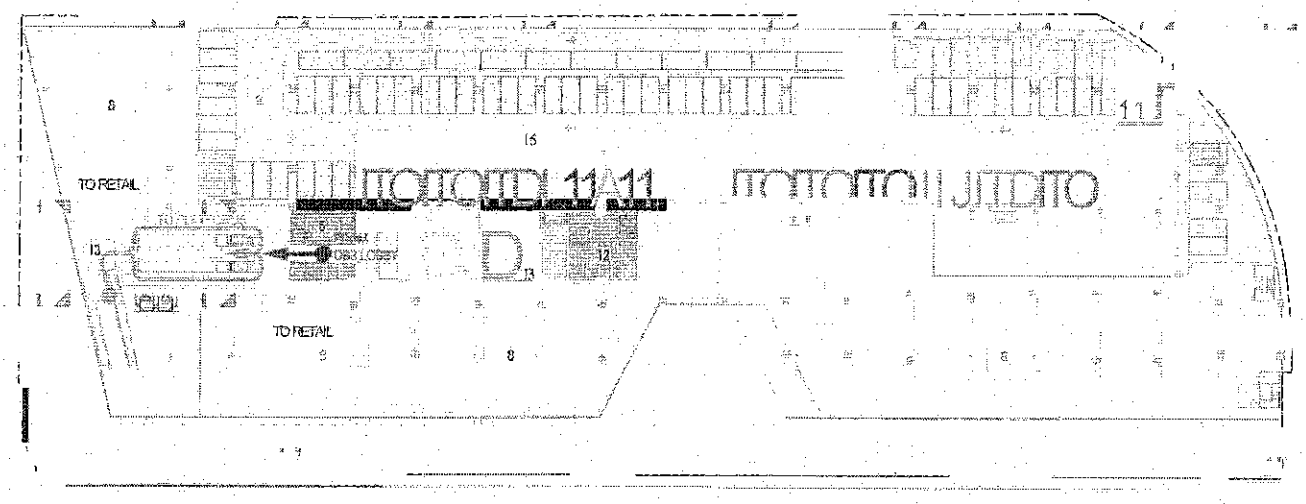
STATION PLANNING

PARKING MEZZANINE LEVEL SOUTH CONCOURSE - A AND B BLOCKS



STATION PLANNING

MEZZANINE LEVEL SOUTH CONCOURSE - A AND B BLOCKS



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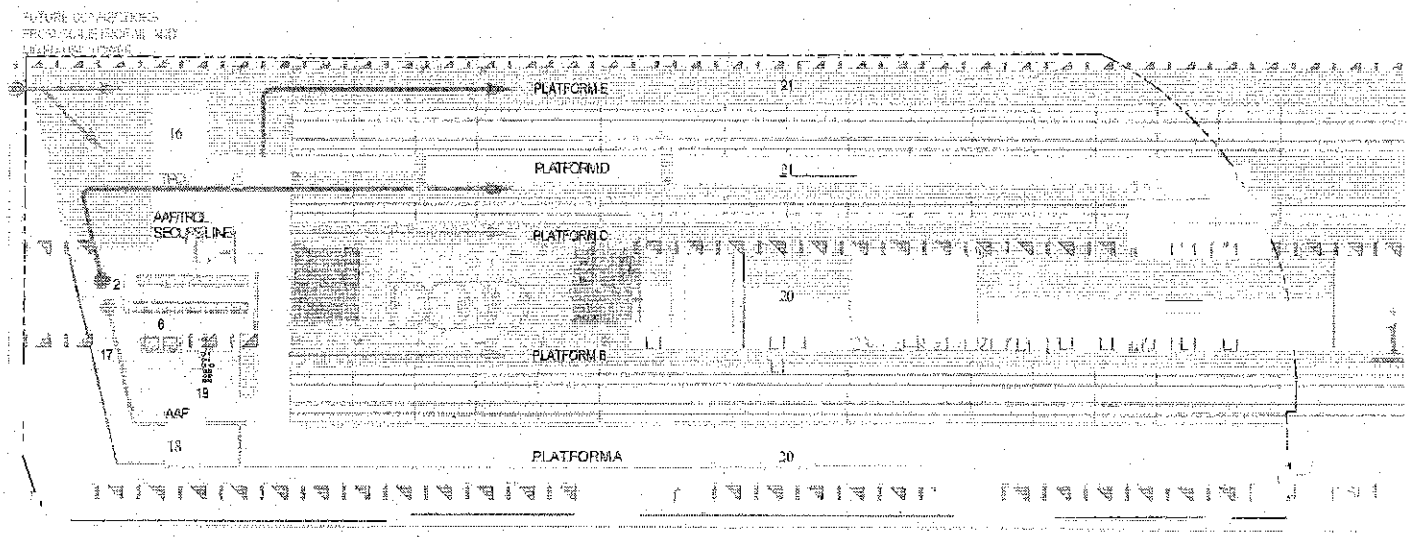
STATION PLANNING

PLATFORM LEVEL SOUTH CONCOURSE - A AND B BLOCKS



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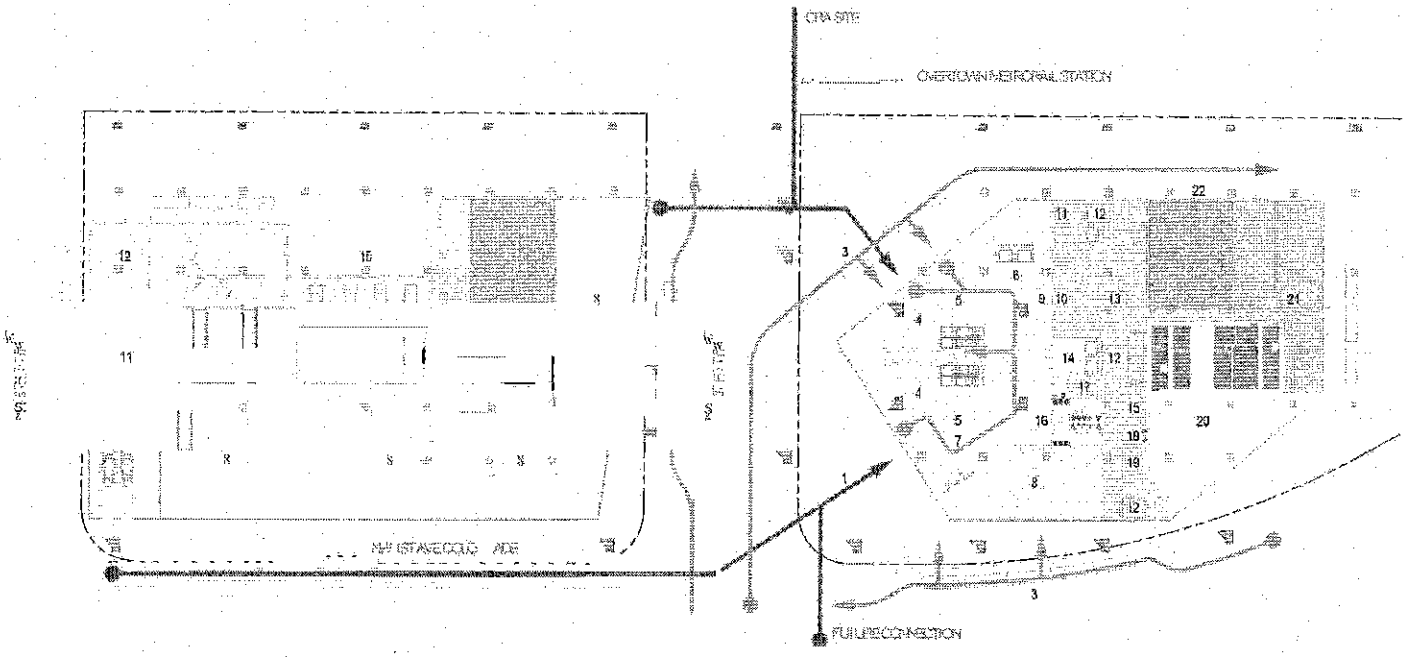
STATION PLANNING

GROUND LEVEL NORTH CONCOURSE - CAMD D BLOCKS



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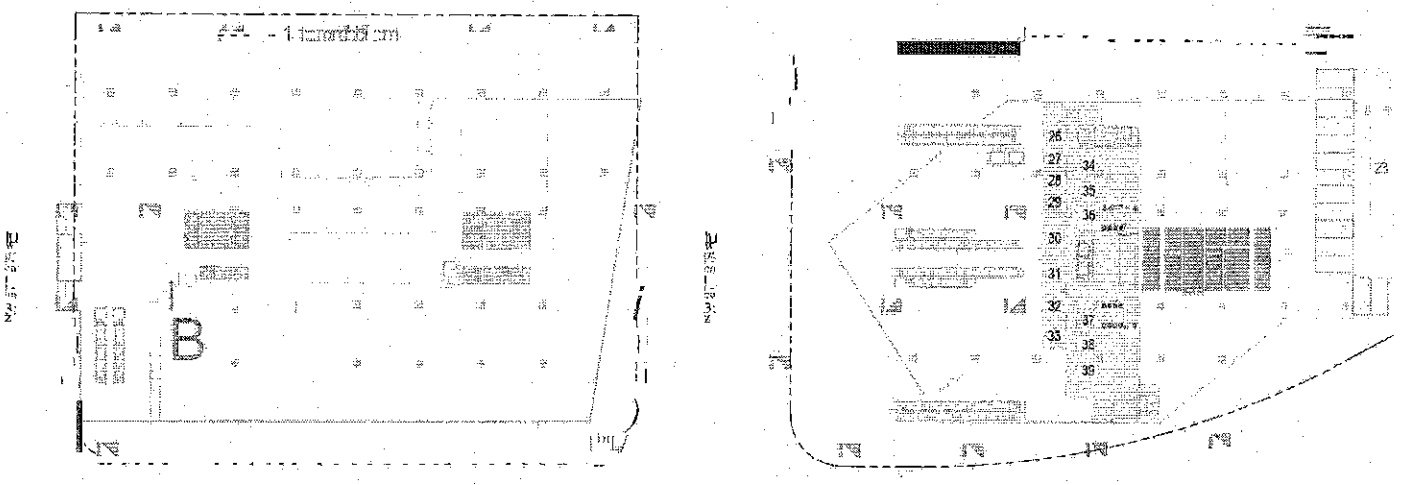
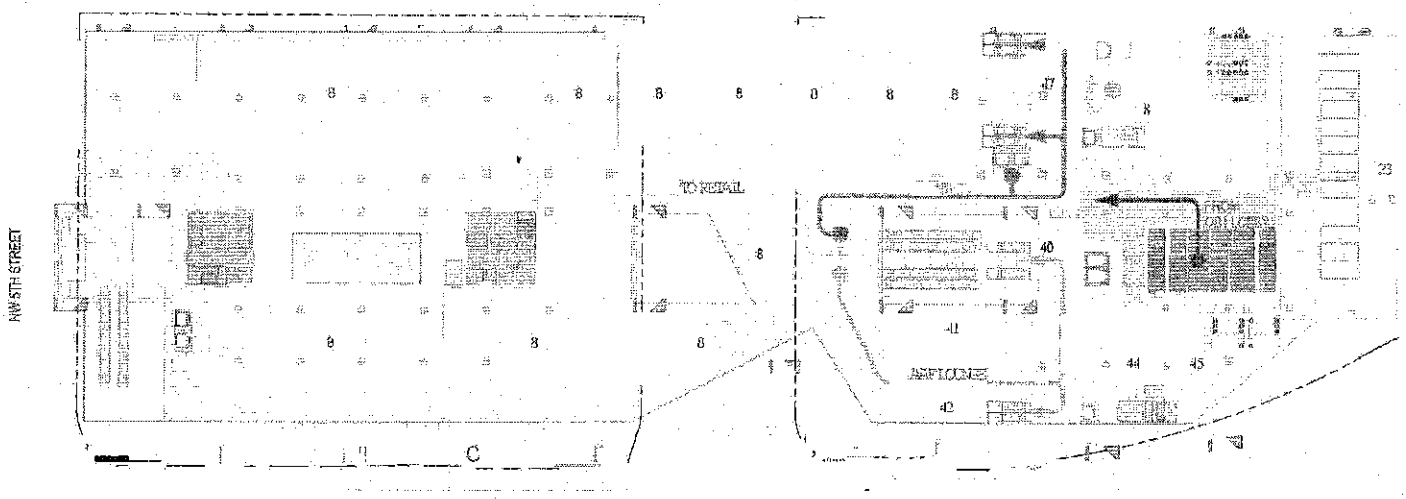
STATION PLANNING

PARKING MEZZANINE LEVEL NORTH CONCOURSE - C AND D BLOCKS



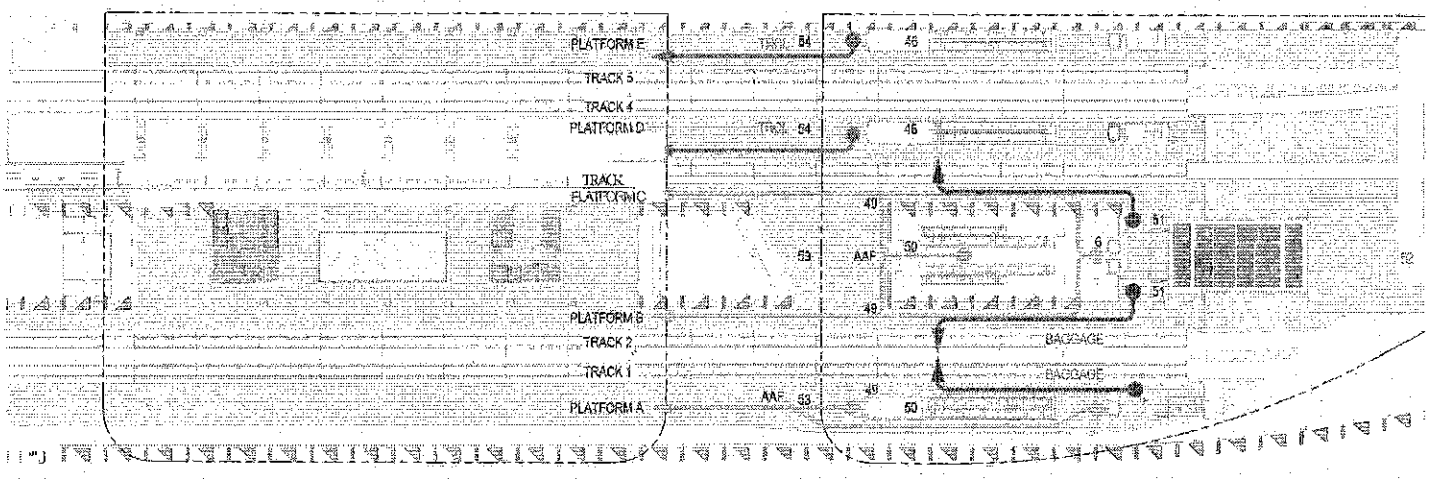
STATION PLANNING

MEZZANINE LEVEL-NORTH CONCOURSE - CAND D BLOCKS



STATION PLANNING

PLATFORM LEVEL NORTH CONCOURSE - C AND D BLOCKS



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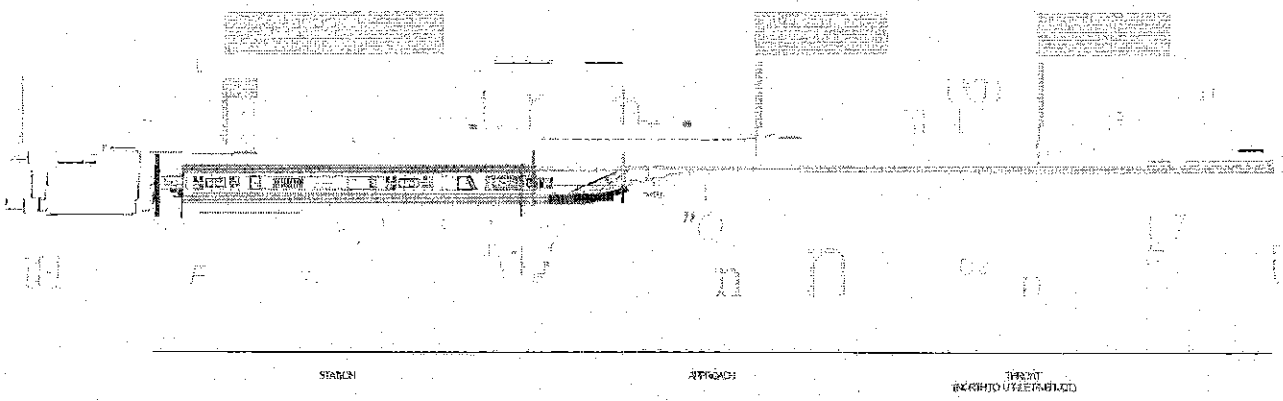
TROL SCOPE DRAWING

SITE PLAN



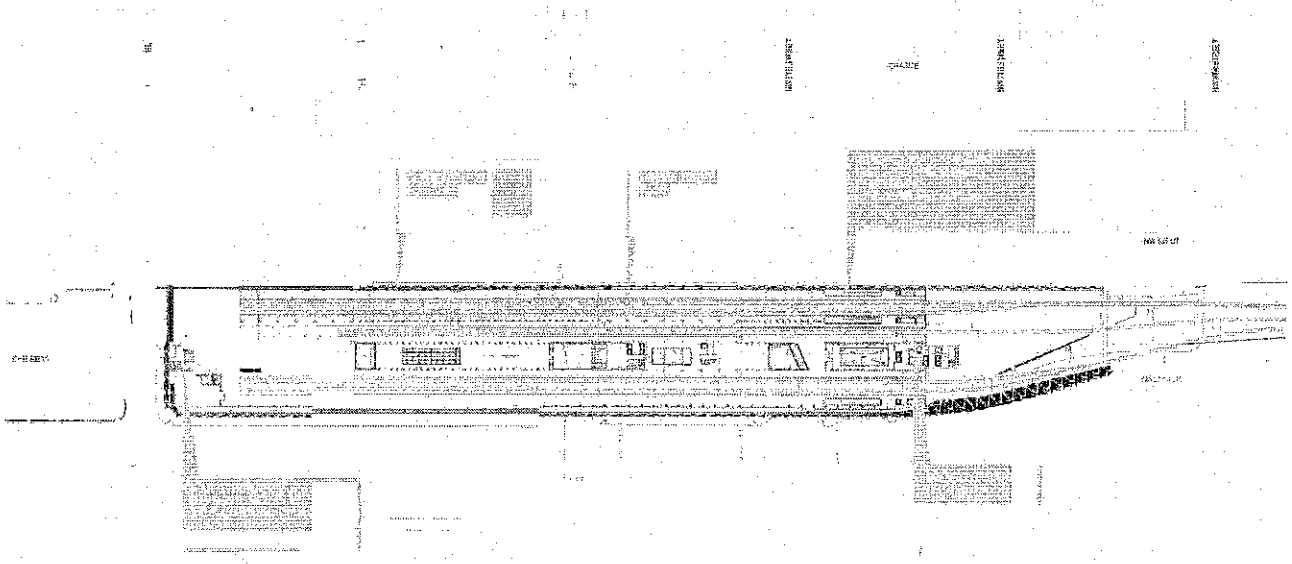
DEDICATED TROL SPACE

SHARED AAF/TROL SPACE

SHARED COUNTY/TROL SPACE

TROLLSCOPE DRAWING

PLATFORM PLAN (+XX FT)



DEDICATED TROLLSPACE

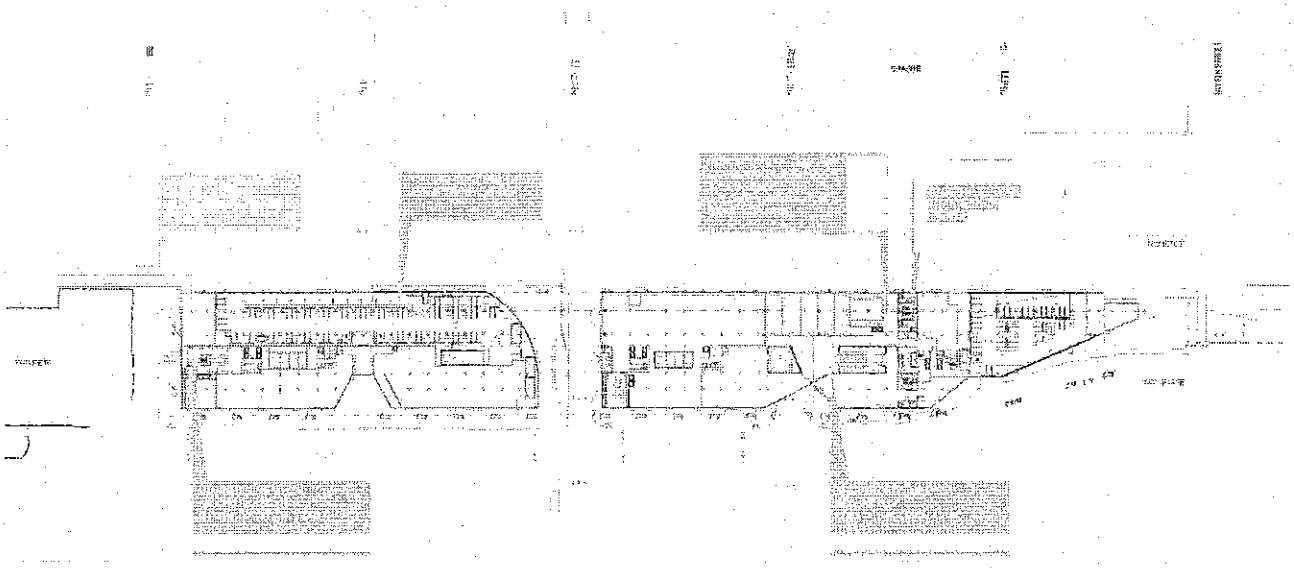
SHARED A/A/TROLLSPACE

SHARED COUNTYTROLLSPACE

G

TRCL SCOPE DRAWING

MEZZANINE PLAN (+XX FT)



DEDICATED TRCL SPACE

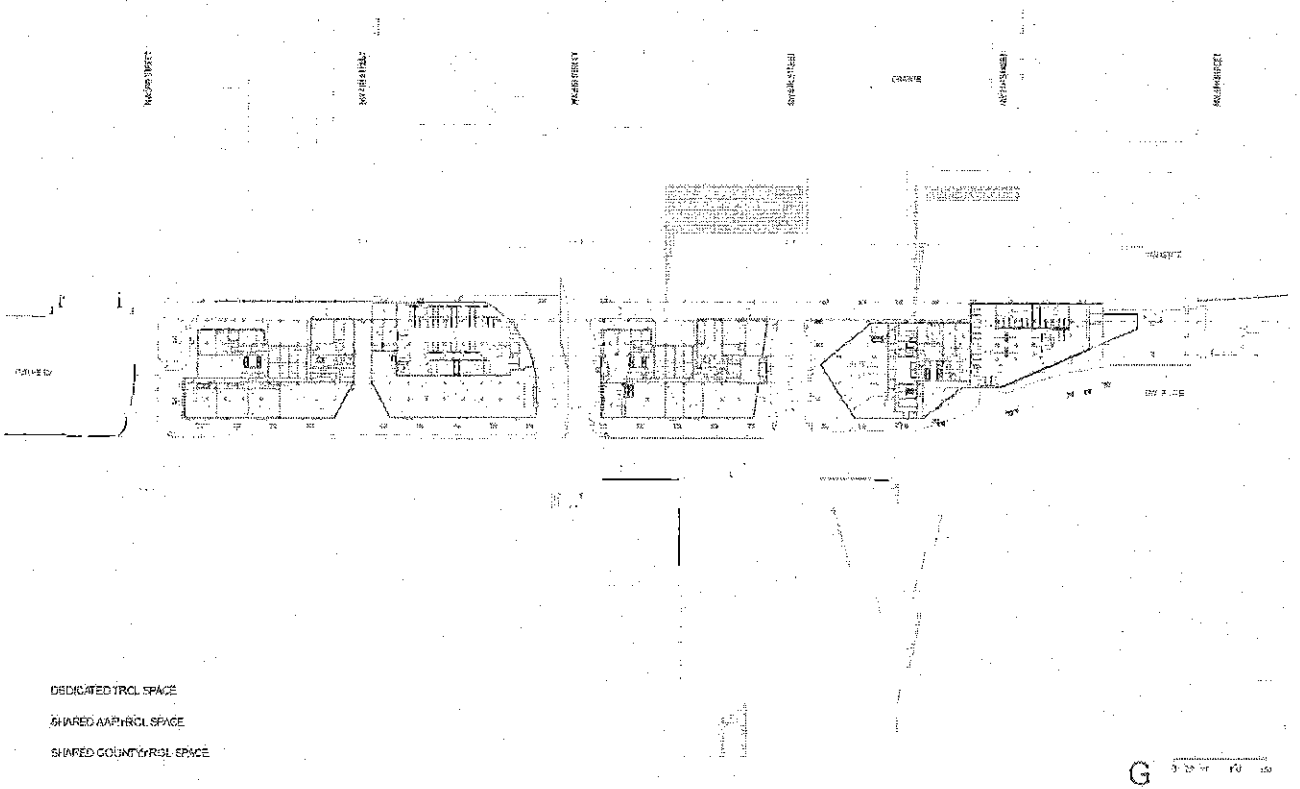
SHARED AA/TRCL SPACE

SHARED COUNTY/TRCL SPACE

G

TRCL SCOPE DRAWING

PARKING MEZZANINE PLAN (+XX FT)



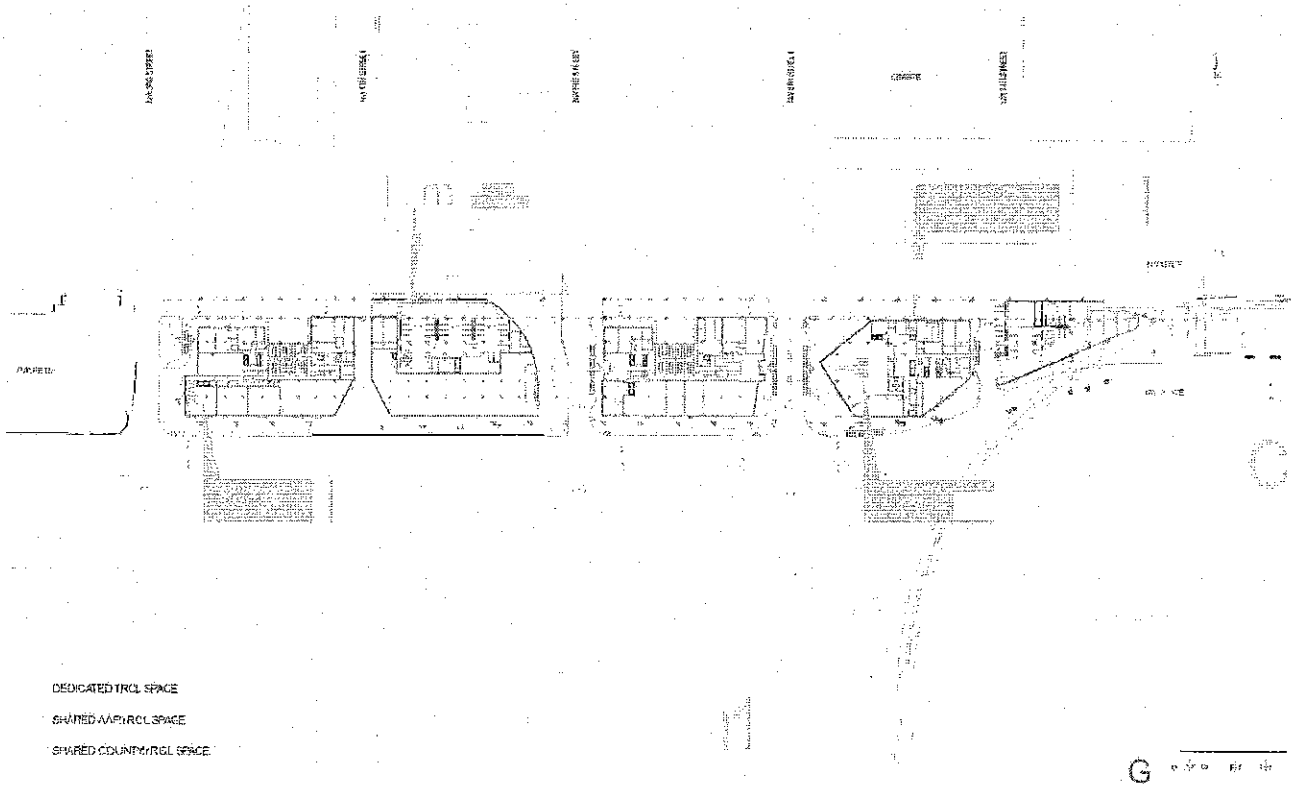
DEDICATED TRCL SPACE

SHARED AAPI TRCL SPACE

SHARED COUNTY TRCL SPACE

TROL SCOPE DRAWING

GROUND FLOOR PLAN (+00 FT)



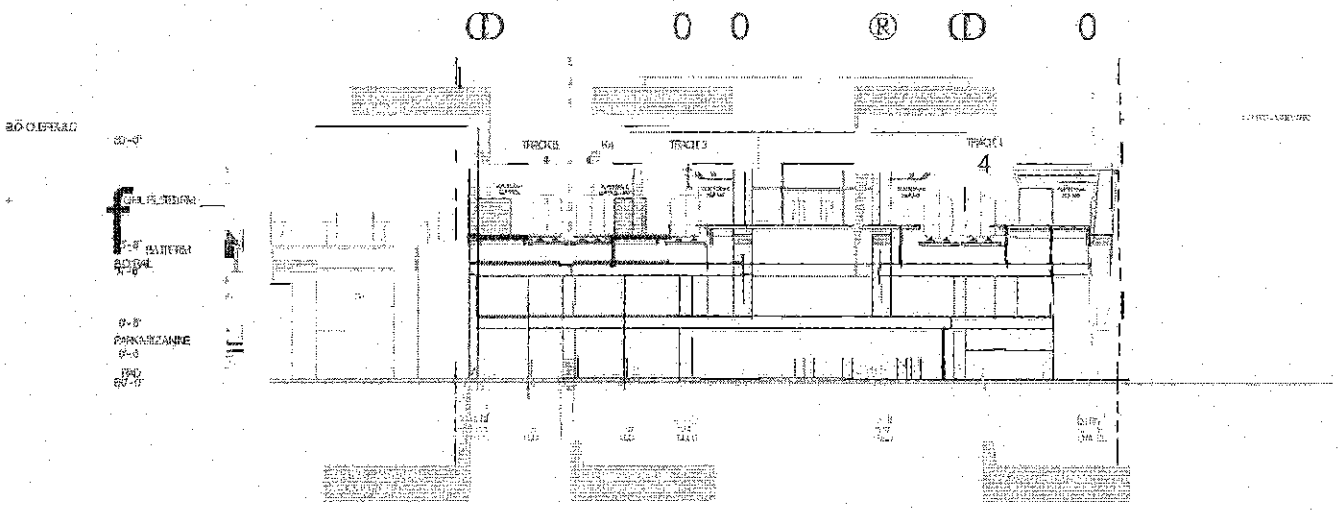
DEDICATED TROL SPACE

SHARED MAPLE TROL SPACE

SHARED COUNTRY TROL SPACE

TROLLSCOPE DRAWING

CROSS SECTION AT STATION



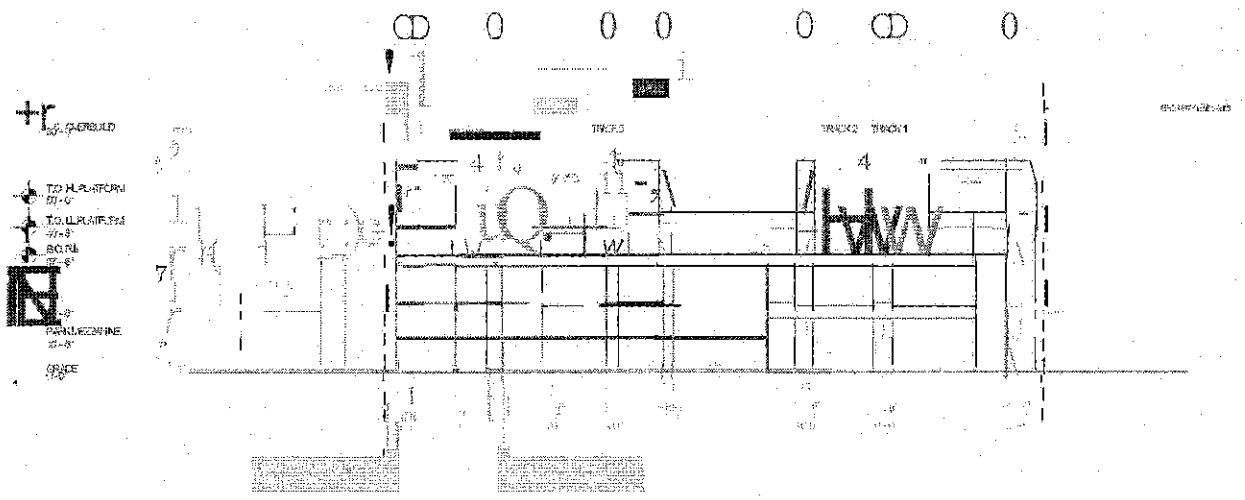
DEDICATED TROLLSPACE

SHARED AAP TROLLSPACE

SHARED COUNTY TROLLSPACE

TROL SCOPE DRAWING

CROSS SECTION NOT AT STATION



DEDICATED TROL SPACE

SHARED AAP/TROL SPACE

SHARED COUNTY TROL SPACE

Miami, Florida 10/2/2014

MIAMI STATION TRI RAIL BUDGET

	BUDGET CATEGORY	CATEGORY SUMMARY
1	LAND & ENTITLEMENTS	$18,500
2	INFRASTRUCTURE & SITE DEVELOPMENT	$499,000
3	BUILDING CONSTRUCTION	$36,674,000
4	FURNITURE, FIXTURES & ACCESSORIES (FF&A)	$886,000
5	SITE IMPROVEMENTS	$2,874,000
6	OPERATING SUPPLIES & EQUIPMENT (OS&E)	$0
7	PROFESSIONAL FEES	$3,394,800
8	PROJECT MANAGEMENT	$0
9	FINANCE & ADMINISTRATION	$0
10	CONTINGENCY	$4,284,130
	TOTAL:	$48,630,431

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 1 - LAND & ENTITLEMENTS	$0
Pre Development Studies	
Pursuit Costs	
Subtotal:	$0
Land Acquisition	
Land Allocation	$0
Brokerage Fees	$0
Due Diligence Costs	$0
Legal Support Costs (outside)	$0
Survey	$0
Transaction Costs	$0
Appraisal	$0
Environmental Studies / Remediation	$0
Zoning and Entitlement Costs	$18,500
Real Estate Taxes	$0
Interim Property Maintenance	$0
CATEGORY 1 TOTAL:	$18,500

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 2 - INFRASTRUCTURE & SITE DEVELOPMENT		$0
Permit and Fees		
Demo		$47,000
Site Earthwork		$98,000
Site Utilities		$275,000
	Subtotal:	$420,000
Contractor Costs		
Suffolk Contingency	3.0%	$13,000
General Conditions *(included BR Insurance @ 1.28%)*	7.5%	$32,000
Contractor Overhead & Profit	4.0%	$17,000
Management Reserve		*$17,000*
	CATEGORY 2 TOTAL:	$499,000

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 3 - BUILDING CONSTRUCTION		$0
Permits		
Impact Fees		$0
General Requirements		$62,000
Concrete		$15,248,000
Masonry		$229,000
Metals		$2,281,000
Woods and Plastics		$131,000
Thermal /Mositure Protection		$1,865,000
Doors and Windows		$3,551,000
Finishes		$1,001,000
Specialties		$0
Equipment		$0
Furnishings		$0
Special Construction		$801,000
Conveying Sytems		$1,451,000
Mechanical		$2,363,000
Electrical		$1,716,000
Building Signage		$250,000
	Subtotal:	$30,949,000
Contractor Costs		
Suffolk Contingency	3.0%	$928,000
General Conditions *(included BR Insurance @ 1.28%)*	7.5%	$2,321,000
Contractor Overhead & Profit	4.0%	$1,238,000
Management Reserve		***$1,238,000***
	CATEGORY 3 TOTAL:	$36,674,000

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 4 - FURNITURE, FIXTURES & ACCESSORIES (FF&A)		$0
Permit and Fees		
Tenant Improvement Allowances		$0
Furniture & Fixtures		$735,000
	Subtotal:	$735,000
Tax Allowances	6.0%	$44,000
Freight Allowances	7.0%	$51,000
Installation Allowances	3.0%	$22,000
	Subtotal:	$117,000
Management Reserve		*$34,000*
	CATEGORY 4 TOTAL:	$886,000

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 5 - SITE IMPROVEMENTS		$0
Permit and Fees		
Landscaping and Pavers		$1,794,000
Site Concrete		$64,000
Site Amenities		$48,000
Site Lighting		$269,000
Site Signage		$250,000
	Subtotal:	$2,425,000
Contractor Costs		
Suffolk Contingency	3.0%	$73,000
General Conditions *(included BR Insurance @ 1.28%)*	7.5%	$182,000
Contractor Overhead & Profit	4.0%	$97,000
Management Reserve		*$97,000*
	CATEGORY 5 TOTAL:	$2,874,000

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 6 - OPERATING SUPPLIES & EQUIPMENT (OS&E)	$0
I.T / Telecom Equipment	
Building Maintenance Equipment	$0
Kitchen Equipment	$0
Vehicles	$0
P.O.S. Equipment (Cabling)	$0
Security Systems & Equipment	$0
Parking Systems & Equipment	$0
Monitors	$0
Misc. Equipment	$0
Subtotal:	$0
CATEGORY 6 TOTAL:	$0

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 7 - PROFESSIONAL FEES	$450,000
Architecture/Interior Design	
Associate Architect	$25,000
Structural Engineering	$120,000
Rail Infrastructure Engineer	$400,000
Third Party Building Inspection	$250,000
Threshold Inspection	$200,000
MEP Engineers	$190,000
Lighting Design	$90,000
Vertical Transportation	$35,000
Pedestrian Modeling/NFPA 103 Analysis	$20,000
Landscape Architect	$75,000
Civil Engineering	$50,000
Fire, Life Safety, Smoke Modeling	$50,000
Building Envelope/Waterproofing	$25,000
Façade Access/Maintenance	$10,000
ADA Consulting	$15,000
IT - Telecom	$0
Audio-Visual / CCTV	$0
Acoustics	$70,000
Wayfinding/Signage	$225,000
LEED - Management	$12,000
LEED - Energy Modeling	$21,000
LEED - Commissioning	$15,000
CM - Pre-Construction	$60,000
Cost Estimating	$40,000
Utility Surveying	$45,000
Site Surveying	$50,000
Geotechnical	$35,000
Traffic Study	$55,000
Construction Material Testing	$175,000
Interior Design	$120,000
Ticketing - Train Scheduling	$50,000
Subtotal:	$2,978,000
Reimbursables and Travel	$297,800
Management Reserve	*$119,000*
CATEGORY 7 TOTAL:	$3,394,800

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 8 - PROJECT MANAGEMENT	$0
Development Staff SG&A	
Project Management System	$0
Travel & Related	$0
Site Office Expense	$0
Misc Project Mgmt Costs	$0
Management Reserve	*$0*
CATEGORY 8 TOTAL:	$0
CATEGORY 9 - FINANCE & ADMINISTRATION	$0
Operating Cash Reserve	
Corporate SG&A Allocations	$0
Outside Legal Fees	$0
Subtotal:	$0
Loan Fees	$0
Capitalized Interest Expenses	$0
CATEGORY 9 TOTAL:	$0

MIAMI STATION TRI RAIL BUDGET DETAIL

CATEGORY 10 - CONTINGENCY	$1,850
Category 1	
Category 2	$48,200
Category 3	$3,543,600
Category 4	$85,200
Category 5	$277,700
Category 7	$327,580
CATEGORY 10 TOTAL:	$4,284,130

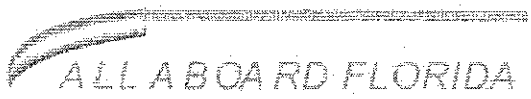

ALL ABOARD FLORIDA


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Exhibit "B"

SFRTA DBE Program

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY (SFRTA) DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

Policy Statement/Objectives

The South Florida Regional Transportation Authority (SFRTA) formerly known as Tri-County Commuter Rail Authority (Tri-Rail), has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. SFRTA receives Federal financial assistance from the DOT, and as a condition of receiving this assistance, SFRTA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of SFRTA to ensure that DBEs, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in DOT assisted contracts. SFRTA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

Annually, SFRTA develops an overall goal for the agency. This overall goal shows the level of DBE participation which allows for reasonable expectation of achieving Program compliance as well as an opportunity to enhance service delivery to our customers.

It is SFRTA's policy:

- To ensure nondiscrimination in the award and administration of DOT assisted contracts;
- To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT assisted contracts; and

- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Director of Administration/EEO Officer is designated as the DBE Liaison Officer. In that capacity, he/she is responsible for implementing all aspects of the DBE Program. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by SFRTA in its financial assistance agreements with the DOT.

SFRTA has disseminated this Policy Statement to all departments within our organization and to the DBE and non-DBE business communities that perform work for SFRTA on DOT assisted contracts. SFRTA's DBE policy and program will be incorporated by reference in every DOT assisted agreement. This policy statement is also available on SFRTA's website.

Jack L. Stephens
Executive Director

**Date: 11/20/14

Diane Hernandez Del Calvo
DBE Liaison Officer/
Director of Administration/EEO Officer

Date: 11/20/14

**Administrative change – Signature Update

SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

The objectives are found in the policy statement on the first page of this program.

Section 26.3 Applicability

The South Florida Regional Transit Authority (SFRTA) is the recipient of federal transit funds authorized by Titles I, III, V and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II and V of the Teas-21, Pub. L. 105-178.

Section 26.5 Definitions

SFRTA will adopt the definitions contained in Section 26.5 of Part 26 for this program.

Section 26.7 Non-discrimination Requirements

SFRTA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, SFRTA will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping and Reporting

Uniform Report of DBE Awards or Commitments and Payments: 26.11(a)

SFRTA will report DBE participation to the Federal Transit Administration using the Uniform Report of DBE Awards or Commitments and Payments, The reports will be submitted at the times specified on the form.

Bidders List: 26.11(c)

The SFRTA will create a bidders list, consisting of information about all DBE and non-DBE firms that bid on prime contracts and bidding, proposing or quoting on subcontracts federally funded.

The bidder list will include the name, address, DBE non-DBE status. A form will be included in each Request for Proposal and Invitation to Bid requesting the above information. Failure to submit this information may render the bid non-responsive.

Section 26.13 Assurances

The SFRTA has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Federal Financial Assistance Agreement Assurance: 26.13(a)

> SFRTA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipient's DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the SFRTA of its failure to carry out its approved program, the Department may impose sanction as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

Contract Assurance: 26.13(b)

SFRTA will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

> The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

SUBPART B – ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

As a condition of receiving funds from the Department of Transportation (DOT), SFRTA is required to have a DBE Program. SFRTA will continue to carry out this DBE Program until all funds from DOT financial assistance has been expended. SFRTA will provide DOT with updates representing significant changes in the Program. SFRTA has signed and dated a Policy Statement, which expresses its commitment to the DBE Program, states its objectives, and outlines responsibilities for its implementation.

Section 26.25 DBE Liaison Officer

The designated DBE Liaison Officer (DBELO) of SFRTA's DBE Program is Diane Hernandez Del Calvo, Director of Administration/EEO Officer. She can be contacted at:

Diane Hernandez Del Calvo
South Florida Regional Transportation Authority
800 NW 33rd Street,
Pompano Beach, Florida 33064
Telephone No. (954) 942-7245
Fax No. (954) 788-7961
E-mail Address: hernandezdelcalvod@sfrta.fl.gov

Ms. Hernandez Del Calvo is responsible for implementing all aspects of the DBE Program and ensuring that SFRTA complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to, SFRTA's Executive Director, Jack L. Stephens concerning DBE Program matters. An organization chart displaying the DBELO's position within the organization is attached. (Attachment1).

The DBELO is responsible for developing, implementing and monitoring the DBE Program, in coordination with other designated officials. The DBELO has adequate staff to assist Duties and responsibilities include the following:

- Gathers and reports statistical data and other information as required by DOT;
- Reviews third party contracts for compliance with this program;
- Works with all departments to set overall goals;
- Ensures that bid notices and requests for proposals are available to DBEs in a timely manner;
- Identifies contracts and procurements so that DBE goals are included in solicitations (both race neutral methods and contract specific goals) and monitors results;
- Analyzes SFRTA's progress toward goal attainment and identifies ways to improve progress;
- Participates in pre-bid meetings;
- Advises the Executive Director and Governing Board on DBE matters and achievements;
- Plans and participates in DBE training seminars;

- Acts as liaison to the Uniform Certification Process in Florida;

- Provides outreach to DBEs and community organizations to advise them of opportunities.

Section 26.27 DBE Financial Institutions

It is the policy of SFRTA to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and we encourage prime contractors on DOT-assisted contracts to make use of these institutions. We will re-evaluate the availability of DBE financial institutions every 5 years

SFRTA has investigated services offered by DBE financial institutions within Miami-Dade, Broward and Palm Beach Counties. These services include but are not limited to:

- Financial Services
- Financial Accounting and Management Consulting Services
- Financial Marketing Services
- Government Approved Local Funding Sources
- Loans and Grants
- Underwriting and Financial Advisory Services
- Venture Capital Services

Many of these services can be obtained through the Small Business Administration Information South Florida District Office, 100 S. Biscayne Blvd. – 7th Floor, Miami, FL 33131, These services can also be obtained at the following county offices in the above mentioned counties in SFRTA's service area:

Palm Beach County Office of Small Business Assistance (OSBA)
50 S. Military Trail, Suite 202
West Palm Beach, FL 33415
Phone: 561-616-6840

Broward County Office of Economic and Small Business Development
115 S. Andrews Ave., Room A-680
Fort Lauderdale, FL 33301-1802
Phone: 954-357-6400

Small Business Development
Stephen P. Clark Center
111 NW 1st Street, 19th Floor
Miami, FL 33128-1900
Phone: (305) 375-3111

Section 26.29 Prompt Payment Mechanisms

Prompt Payment:26.29(a)

The SFRTA will include the following clause in each DOT-assisted prime contract:

> The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contract receives from SFRTA.. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the SFRTA. This clause applies to both DBE and non-DBE subcontracts.

Retainage: 26.29(b)

> The prime contractor agrees to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval from SFRTA. This clause applies to both DBE and non-DBE subcontracts.

Monitoring and Enforcement: 26.29(d)

> SFRTA includes Payment Certification Forms in its solicitation packages. Contractor shall obtain from the Subcontractor an executed sworn Payment Certification Form and shall submit the form to SFRTA with each of the Contractor's requests for payment, with the exception of the first request for payment. Prior to receipt of any progress (partial) payment, the Contractor shall certify that all Subcontractors having an interest in the Contract have received their pro rata share of previous progress payments made to the Contractor for all Work completed and materials furnished in the previous period. Contractor shall provide this certification in the form designated by SFRTA, and shall include the DBE utilization percentage to date and the percentage of the total Contract price that will be performed by DBE subcontractors. SFRTA will not make any progress payments after the initial partial payment until the Contractor certifies that it has disbursed to all Subcontractors having an interest in the Contract their pro rata shares of the payment it has previously received.
>
> The Contractor's failure to submit the Payment Certification Forms covering all payments made to Subcontractors, within thirty (30) days after receiving progress payments, is sufficient grounds for SFRTA to suspend further payment until certifications are received

Section 26.31 DBE Directory

The SFRTA maintains a directory indentifying firms including DBEs and non-DBEs. The SFRTA also utilizes the Florida Department of Transportation (FDOT) DBE directory. The Directory is available on-line at the following website:
https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp

Section 26.33 Overconcentration

The SFRTA has not identified that overconcentration exists in the type of work that DBEs perform. SFRTA monitors DBE participation on contract to ensure there is not an overconcentration of DBE. The SFRTA will continue to monitor DBE participation and usage and will re-evaluate for overconcentration every 3 years

Section 26.35 Business Development Programs

SFRTA has not established a business development program. SFRTA will re-evaluate the need for such a program every 3 years.

Section 26.37 Monitoring and Enforcement Mechanisms

The SFRTA will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26:

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.

2. We will consider similar action under out own legal authorities, including responsibility determinations in future contracts.

3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by monitoring payment records, work sites on which DBEs are performing.

4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award

Section 26.39 Small Business Participation

The SFRTA has incorporated the following non-discriminatory actions/elements in its DBE program in an effort to facilitate competition by small business concerns (both DBEs and non-DBE small businesses). The SFRTA will take reasonable steps to include small business participation in procurements as prime contractors or subcontractors.

SFRTA will administer the Small Business Participation program on a race neutral basis.

For the purposes of this section, SFRTA will use the definition of Small Businesses Concern set out in 49 CFR Section 26.5 and Section 3 of the Small Business Act (SBA) and does not exceed the cap on average gross receipts specified in 49 CFR part 26.65(b).

Program participants will be required to establish eligibility via:

- Certification in connection with the Florida Unified Certification Program;
- Certification in connection with the Counties (Miami-Dade, Broward and Palm Beach) small business certifications.

This documentation must be provided to SFRTA in order to verify eligibility.

None of the provisions of this section shall be interpreted to impose any geographic preferences or limitations and the program is open to all small business concerns regardless of their location.

As part of this program element SFRTA will include the following strategies:

- On prime contracts not having DBE contract goals, prospective prime contractor/bidders will be encouraged to provide subcontracting opportunities of a size that small businesses, including DBEs can reasonably perform, rather than self-performing all the work involved. This will be stated in solicitation documents and reinforced at pre-bid / pre-proposal conferences

- SFRTA will analyze small business contracting opportunities in connection with contract awards. The DBELO will work with the Procurement Department to identify potential goods and services that may be unbundled, as appropriate, to create contracting opportunities for certified small businesses.

- SFRTA will reach out to small businesses in an effort to make them aware of potential contracting and subcontracting opportunities that will exist. SFRTA will utilize the Southern Florida Minority Supplier Development Council (SFMSDC), the Minority Enterprise Development (MED) and the National Institute of Government Purchasing (NIGP) Southeast Florida Chapter to increase outreach efforts.

- SFRTA attends multiple minority, DBE and small business tradeshows and conferences (including those mentioned above – SFMSDC Business Expo, MEDWeek and NIGP Trade show) on an annual basis to encourage small businesses to register to do business with SFRTA and to explain to firms "how to do business" with SFRTA.

- SFRTA's on-line vendor registration system captures identification of small businesses, DBE and minority firms. This allows SFRTA to solicit quotations from and award Purchase Orders to small businesses registered per the commodity code of the requested goods or services.

- SFRTA provides information to small business regarding the means to obtain certification in accordance with the Florida Unified Certification Program.

- SFRTA will continue to place upcoming contracting opportunities on its website

SFRTA will begin undertaking the Small Business Program immediately and expects to have the program implemented by July 1, 2013.

SUBPART C – GOALS, GOOD FAITH EFFORTS AND COUNTING

Section 26.43 Set-Asides or Quotas

The SFRTA does not use quotas in any way in the administration of this DBE program

Section 26.45 Overall Goals

In accordance with Section 26.45, SFRTA will submit its triennial overall goal to the FTA on August 1 of the year specified by FTA. The SFRTA is included in Group B for goal submission, with next goal submission due August 2014.

SFRTA will also request use of project-specific DBE goals as appropriate, and/or will establish project-specific DBE goals as directed by FTA.

The process generally used by the SFRTA to establish overall goal follows the two-step process described in Section 26.45 of the DBE regulation and is based on the demonstrable evidence of of the availability of ready, willing and able DBE's relative to all businesses ready, willing and able to participate/perform contracting opportunities derived from DOT assisted projects/contracts. SFRTA began the goal setting process by determining a base figure for the relative availability of DBEs. SFRTA first assessed the UCP statewide directory to obtain the number of ready, willing and able DBE's. Firms are identified based on the federally funded contract projections made by SFRTA. The SFRTA also utilizes data from the Census Bureau's County Business Patterns (CBP) database to determine businesses that are ready, willing and able to do business with SFRTA in the local market area.

In the step two process, SFRTA considers the median past participation based on the volume of work DBE's have performed in recent years. The step one base figure is then adjusted. The detailed methodology for setting the overall goal is **Attachment 4**

Before establishing the overall DBE goal, SFRTA will consult with various organizations, including the DOT Office of Equal Opportunity, and Minority Organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and SFRTA's efforts to establish a level playing field for the participation of DBEs.

Following this review and consultation, SFRTA will publish a notice of the proposed overall goal in local newspapers, send to minority focused organizations; post at the SFRTA's

administrative offices, and on the SFRTA's webpage. The notice will inform the public that the proposed goal and its rationale are available for inspection during normal business hours at SFRTA's administrative headquarters for 30 days following the date of the notice, and informing the public that SFRTA will accept comments on the goal for 45 days from the date of the notice. Normally, the SFRTA will issue this notice on or before June 15th. The notice will include the address to which comments may be sent and the proposal may be viewed.

SFRTA's overall goal submission to DOT will include the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate), a copy of the methodology used to develop the goal, a summary of information and comments received during this public participation process and responses and proof of publication of the goal.

The SFRTA will begin using the overall goal on October 1st of the specified year, unless SFRTA received other instructions from DOT. If SFRTA establish as goal on a project basis, SFRTA will begin using the goal by the time of the first solicitation for a DOT-assisted contract for the project. The goal will remain effective for the duration of the three-year period established and approved by FTA.

Section 26.47 Goal Setting and Accountability

If the awards and commitments shown on SFRTA's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;

2. Implement a corrective action plan to correct the problems identified in the analysis; and

3. Maintain information/records regarding the analysis and efforts made for at least 3 years

Section 26.49 Transit Vehicles Manufacturers Goals

SFRTA will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section.

Section 26.51 Meeting Overall Goals/Contract Goals

The SFRTA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. SFRTA will do so by the following means:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses participation

2. Providing names of agencies that can assist in overcoming limitations such as inability to obtain bonding or financing

3. Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate)-

4. Ensure potential prime contractors are made aware of the UCP DBE directory listing of certified DBE firms;

SFRTA will use contract goals to meet any portion of the overall goal that SFRTA does not project being able to meet using race-neutral means. Contract goals are established so that over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the overall goal that is not projected to be met through the use of race-neutral means.

SFRTA will establish contract goals only on those DOT assisted contracts that have subcontracting possibilities. SFRTA is not required to set a contract goal on every DOT assisted contract and is not required to set each contract goal at the same percentage level as the overall goal. The goal for a specific contract may be higher or lower than that percentage level of the overall goal, depending on such factors as the type of work involved the location of the work, and the availability of DBEs for the work of the particular contract. SFRTA will express its contract goals as a percentage of the total amount of a DOT-assisted contract.

SFRTA's contract goals will provide for participation by all certified DBEs and will not be subdivided into group-specific goals.

Section 26.53 Good Faith Efforts

Award of Contracts with a DBE Contract Goal: 26.53(a)

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, SFRTA will not award the contract to a bidder who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Evaluation of Good Faith Efforts: 26.53(a) & (c)

The DBELO, or designee, and the project manager are responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to

be regarded as responsive. The process used to determine whether good faith efforts have been made will be based on an evaluation made by the SFRTA, by reviewing the bidder/offerer's efforts and the evidence provided to support its efforts to determine if they are sufficient. The quality, quantity and intensity of the various efforts will be examined.

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Successful achievement of good faith efforts will be based on criteria specified by SFRTA, which includes the following areas;

- Advertisement
- Community Outreach
- Defining Scope of Work
- Written Requests for Proposal
- Solicitation Follow-up
- Assistance in Bonding and Insurance
- Attend Pre-Bid/Proposal Conference
- List of Proposals for DBE's

SFRTA will ensure that all information is complete and accurate and adequately documents the bidder/offer's good faith efforts before SFRTA commit to the performance of the contract by the bidder/offeror.

Information to be Submitted: 26.53(b)

SFRTA treats bidders/offers' compliance with good faith efforts' requirement as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative Reconsideration: 26.53(d)

Within 5 days of being informed by SFRTA that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Jack Stephens
SFRTA's Deputy Executive Director
800 NW 33rd Street, Suite 100
Pompano Beach, Florida 33064
Telephone No. (954) 942-7245
Fax No. (954) 788-7961
E-mail Address: stephensj@sfrta.fl.gov

As part of the reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with the reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. SFRTA will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or made adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals: 26.53(f)

SFRTA requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal and then perform the work of the terminated subcontract with its own forces or those of an affiliate, without prior written consent from the SFRTA Executive Director or designee. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26.53(f)(3) of the DBE regulation

Before transmitting to SFRTA its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to SFRTA prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise SFRTA of why it objects to the proposed termination.

When a DBE subcontractor is terminated for "good cause", or fails to complete its work on the contract for any reason, SFRTA will require the prime contractor to make good faith efforts to find another DBE subcontractor to substitute for the original DBE. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal established for the procurement. We will require the prime contractor to notify the DBELO

immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

SFRTA will include in each prime contract a provision for appropriate administrative remedies that it will invoke if the prime contractor fails to comply with the DBE requirements of the contract.

SFRTA will apply the same requirements to DBE bidders/offerors for prime contracts. In determining whether a DBE bidder/offeror for a prime contract has met a contract goal, SFRTA will count only the work the DBE has committed to performing with its own forces and/or the work that it has committed to be performed by DBE subcontractors and DBE suppliers.
In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

Contractor's failure to comply with DBE requirements shall be considered a material breach of contract that may result in contract termination or any such other remedy as the SFRTA deems appropriate, including but not limited to all remedies provided in the event of a default of contract.

Sample Bid Specification:

> The requirement of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the SFRTA to practice nondiscrimination based on race, color, sex or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of _____ percent has been established for this contract. The bidder/offerer shall made good faith efforts, as defined in Appendix A, 49 CFR Part 26, (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.
>
> The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts

Section 26.55 Counting DBE Participation

The SFRTA will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

SUBPART D & E - CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

The SFRTA is not a certifying agency and will utilize the Unified Certification Program (UCP). It is the policy of the SFRTA to accept DBE certifications from agencies that have reviewed and certified DBE firms in accordance with 49 CFR, Part 26. For information about the certification process, firms should contact the FDOT's Equal Opportunity Office at (http://www.dot.state.fl.us/equalopportunityoffice/)

Section 26.81 Unified Certification Programs

SFRTA is the member of a Unified Certification Program (UCP) administered by the Florida Department of Transportation Equal Opportunity Office. The UCP will meet all of the requirements of this section. SFRTA will use and count for DBE credit only those DBE firms certified by the State of Florida UCP.

Additional information regarding the Florida UCP can be found at http://www.dot.state.fl.us/equalopportunityoffice/

Section 26.83 – 26.91 Procedures for Certification Decisions

Any firm or complainant may appeal a Florida UCP's decision in a certification matter to DOT. Such appeals may be sent to:

U.S. Department of Transportation
Office of Civil Rights Certification Appeals Branch
1200 New Jersey Ave. SE
West Building, 7th Floor
Washington, D.C., 20590

We will promptly implement any DOT certification appeal decisions affecting the eligibility of DBEs for our DOT-assisted contracting.

SUBPART F - COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

We will safeguard from disclose to third party information that may reasonable be regarded as confidential business information, consistent with Federal, state and local law.

General

Florida's Public Records Law, Ch. 119, F.S. (the "Public Record Law), requires governmental entities to provide access to public records, absent a statutory exemption.

Section 119.011(12), F.S., defines "public records" to include: all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

Section 119.011(2), F.S., defines "agency" to include: any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency." SFRTA is an agency, pursuant to this statutory definition, and therefore, subject to the Public Record Law.

Financial records received by agencies are generally open to inspection unless a specific statutory exemption exists. The following is a discussion of the pertinent Public Records Law exemptions that could apply to "confidential business information" received by the agency.

Personal Financial Records

In the absence of a statutory exemption, financial information prepared or received by an agency is subject to Ch. 119, F.S.[1]

Competitive Procurements

If an agency rejects all bids, proposals, or replies submitted in response to a competitive solicitation and the agency concurrently provides notice of its intent to reissue the competitive solicitation, the rejected bids, proposals, or replies remain exempt until such time as the agency provides notice of an intended decision concerning the reissued competitive solicitation or until the agency withdraws the reissued competitive solicitation. A bid, proposal, or reply is not exempt for longer than 12 months after the initial agency notice rejecting all bids, proposals, or replies. Section 119.071(1)(b)3., F.S.

Any financial statement that an agency requires a prospective bidder to submit in order to prequalify for bidding or for responding to a proposal for a public works project is exempt from disclosure requirements. Section 119.071(1)(c), F.S.

Copyrighted material obtained by agencies

[1] *See Wallace v. Guzman,* 687 So. 2d 1351 (Fla. 3d DCA 1997) (personal income tax returns and financial statements submitted by housing finance authority members as part of the authority's application to organize a bank are subject to disclosure). *See also* Inf. Op. to Lovelace, April 3, 1992 (records identifying mortgage recipients held by a bank acting as agent of a housing finance authority in granting mortgages funded by the authority are public records).

The federal copyright law vests in the owner of a copyright, subject to certain limitations, the exclusive right to do or to authorize, among other things, the reproduction of the copyrighted work and the distribution of the copyrighted work to the public by sale or other transfer of ownership. See AGO 97-84, citing to pertinent federal law and interpretive cases. However, the Attorney General's Office has concluded that the fact that material received by a state agency may be copyrighted does not preclude the material from constituting a public record.[2]

The federal copyright law, when read together with Ch. 119, F.S., authorizes and requires the custodian of records for an agency to make available copyrighted materials in compliance with federal copyright laws.[3]

Trade secrets and proprietary confidential business information

While there is no generic exemption for information claimed to the "proprietary confidential business information," Florida law does contain an exemption for "trade secret information." Specifically, Section 815.045, F.S. states:

> The Legislature finds that it is a public necessity that trade secret information as defined in s. 812.081, and as provided for in s. 815.04(3), be expressly made confidential and exempt from the public records law because it is a felony to disclose such records. Due to the legal uncertainty as to whether a public employee would be protected from a felony conviction if otherwise complying with chapter 119, and with s. 24(a), Art. I of the State Constitution, it is imperative that a public records exemption be created.

"Trade secret" is defined in Section 812.081, F.S. to mean:

> The whole or any portion or phase of any formula, pattern, device, combination of devices, or compilation of information which is for use, or is used, in the operation of a business and which provides the business an advantage, or an opportunity to obtain an advantage, over those who do not know or use it. "Trade secret" includes any scientific, technical, or commercial information, including any design, process, procedure, list of suppliers, list of customers, business code, or improvement thereof. Irrespective of novelty, invention, patentability, the state of the prior art, and the level of skill in the business, art, or field to which the subject matter pertains, a trade secret is considered to be:
>
> 1. Secret;
> 2. Of value;
> 3. For use or in use by the business; and
> 4. Of advantage to the business, or providing an opportunity to obtain an advantage, over those who do not know or use it when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by the owner to have access thereto for limited purposes.

[2] See AGOs 75-304 and 90-102 and *State, Department of Health and Rehabilitative Services v. Southpointe Pharmacy*, 636 So.2d 1377 (Fla. 1st DCA 1994).
[3] See AGOs 03-26 and 97-84 and *State v. Allen*, 14 F.L.W. Supp. 172a (Fla. 7th Cir. Ct. Nov. 2, 2006).

Section 815.045, F.S., states that it, "should be read to exempt from disclosure as public records all trade secrets as defined in [s. 812.081(1)(c), F.S.].[4] The law in Florida is that documents submitted by a private party which constitute trade secrets as defined in s. 812.081, and which are stamped as confidential at the time of submission to an agency, are not subject to public access.[5] But see Cubic Transportation Systems, Inc. v. Miami-Dade County, 899 So. 2d 453, 454 (Fla. 3d DCA 2005) (company, which supplied documents to an agency and failed to mark them as "confidential" and which continued to supply them without asserting even a legally ineffectual post-delivery claim to confidentiality for some thirty days, failed adequately to protect an alleged trade secret claim). However, the claimed trade secrets must actually constitute trade secrets as defined by law.[6]

Notwithstanding any contrary provisions of state or local law, we will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent to the submitter.

Monitoring work/Payment to DBEs

We will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the SFRTA or DOT. This reporting requirement also extends to any certified DBE subcontractor.

SFRTA will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amounts paid to DBE subcontractors equal or exceed the dollar amounts stated in the schedule of DBE participation.

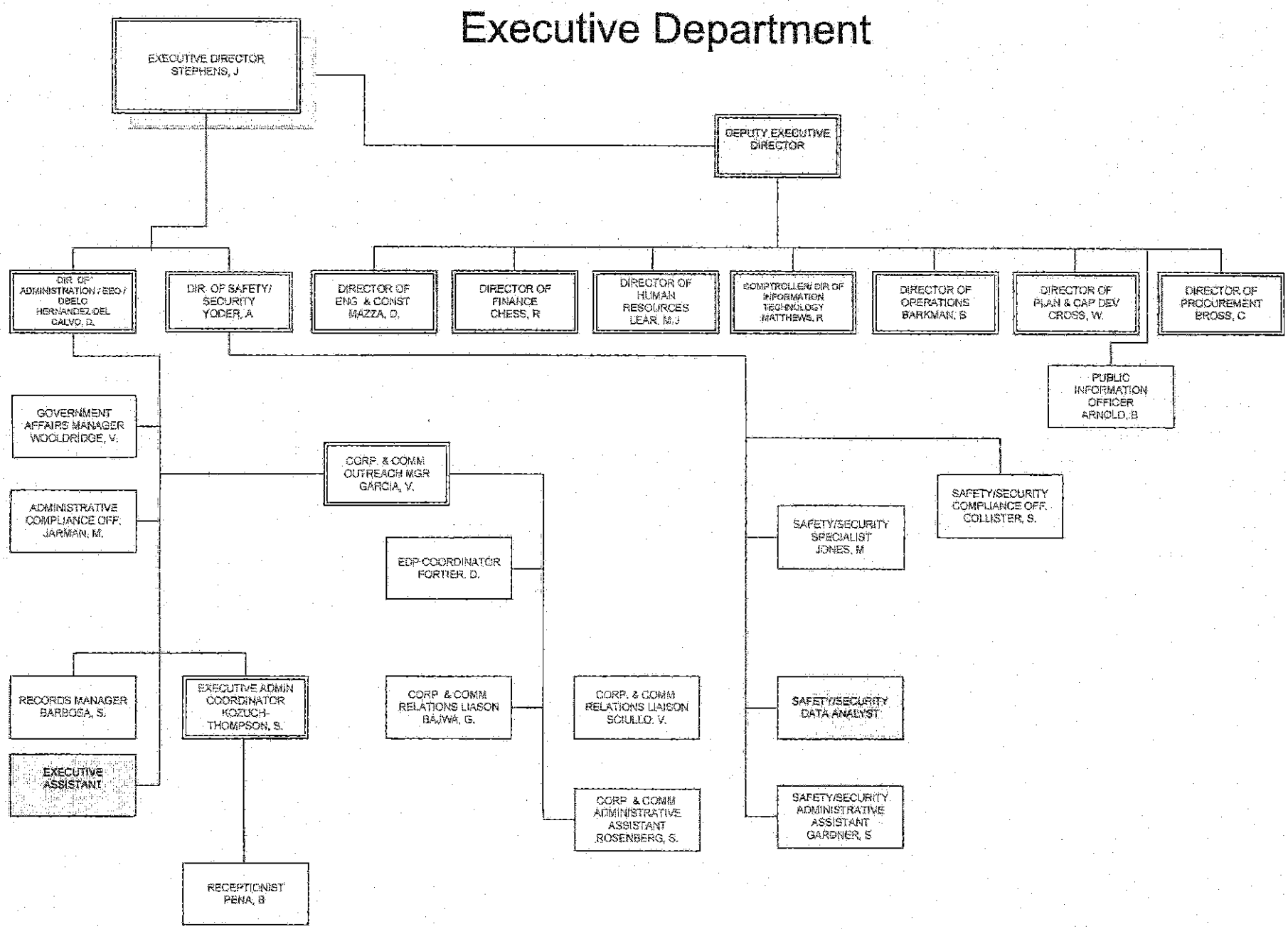
[4] *Sepro Corporation v. Florida Department of Environmental Protection*, 839 So. 2d 781, 785- 787 (Fla. 1st DCA 2003), *review denied sub nom., Crist v. Florida Department of Environmental Protection*, 911 So. 2d 792 (Fla. 2005)
[5] *Id.* at 784, and *see Seta Corporation of Boca, Inc. v. Office of the Attorney General*, 756 So. 2d 1093 (Fla. 4th DCA 2000).
[6] *See* s. 812.081, F.S. For example, in *James, Hoyer, Newcomer, Smiljanich, & Yanchunis, P.A., v. Rodale, Inc.*, 41 So. 3d 386, 389 (Fla. 1st DCA 2010).

ATTACHMENTS

Attachment 1:	Organization Chart
Attachment 2:	DBE Directory Instructions
Attachment 3:	Monitoring and Enforcement mechanism
Attachment 4:	Overall Goal Calculation
Attachment 5:	Form 1 & 2 for Demonstration of Good Faith Efforts
Attachment 6:	Regulation: 49 CFR Part 26

Attachment 1

Executive Department



Attachment 2

Florida UCP DBE Directory

A link to the Florida UCP DBE directory is listed below

https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp

Attachment 3

Monitoring and Enforcement Mechanisms/Legal Remedies

The South Florida Regional Transportation Authority's (SFRTA's) remedy to enforce the DBE requirements is contained in its contracts:

- Breach of contract action, pursuant to the terms of the contract;

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including but not limited to the following:

- Suspension or debarment proceedings pursuant to 49 CFR part 26
- Enforcement action pursuant to 49 CFR part 31 (Program Fraud and Civil Remedies)
- Prosecution pursuant to 18 USC 1001 (Department of Justice – Fraud)

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

METHODOLOGY FOR SETTING THE OVERALL GOAL FOR DBE PARTICIPATION IN SFRTA PROJECTS FOR FISCAL YEARS 2012 - 2014

The Disadvantaged Business Enterprise (DBE) Regulation, 49 Code of Federal Regulations Part 26, has established requirements for setting an overall goal for DBE participation in Federally funded projects. The Rule provides a two-step process for overall goal setting, measuring the current percentage of ready, willing and able DBE's in the local market area.

Step 1

The South Florida Regional Transportation Authority (SFRTA) began the goal setting process by determining a base figure for the relative availability of DBEs. SFRTA first assessed the statewide directory to obtain the number of ready, willing and able DBE's in the tri-county area (Miami-Dade, Broward and Palm Beach Counties). Firms were identified based on the federally funded contract projections made by SFRTA. The resulting **number of DBE's available in the statewide directory becomes the numerator. The denominator was derived from the Census Bureau's County Business Patterns (CBP) database and represents all businesses** that are ready, willing and able to do business with SFRTA in the local market area.

DBE's	(398) x 100 = 8%	Base Figure
All Businesses	(4,857)	

The 8% base figure is the presumed level of participation by DBE's absent discrimination.

Step 2

To adjust the base figure in Step One, SFRTA considered the median past participation based on the volume of work DBE's have performed in recent years. The following was determined:

Past DBE Participation

FY 2007			
Total DBE Dollars	$ 330,889	=	15%
Total Contract Dollars	$2,279,543		

FY 2008			
Total DBE Dollars	$ 353,101	=	8%
Total Contract Dollars	$4,313,614		
FY 2009			
Total DBE Dollars	$ 312,103	=	8%
Total Contract Dollars	$3,674,047		
FY 2010			
Total DBE Dollars	$ 4,057,277	=	13%
Total Contract Dollars	$31,329,237		

Arriving at the Median Past Participation:

SFRTA arrived at the median by arranging the past participation values in order from low to high: 8%, 8%, 13% and 15%. The median percentage was then arrived at by taking the middle two values (8% and 13%) and deriving the average as follows:

$$\frac{8 + 13}{2} = 10.5\%$$

Adjusting Step One Base Figure

SFRTA then added the Step One Base Figure to the median and divided the total by two and arrived at the following result:

$$\frac{8 + 10.5}{2} = 9\%$$

After analyzing the above data and reviewing upcoming contract procurements for fiscal years (FY) 2012 through 2014, SFRTA will utilize the 9% as the Agency's overall projected DBE goal for FY 2012 through 2014.

SFRTA estimates that it will meet its overall projected goal of 9%, through race-neutral measures. SFRTA will use contract goals to meet any portion of the overall goal that cannot be met using race-neutral means.

Attachment 5 – Form 1

Request for Good Faith Efforts Determination

Date: _____

_____ [*insert name of Successful Proposer or PMC*] is seeking a Good Faith Efforts Determination from SFRTA by submittal of this form and associated backup information. The following information is included in support of this request:

1. _____

2. _____

3. _____

[insert more lines, as needed]

_____[*insert name of Successful Proposer or PMC*] requests that SFRTA amend the Contract DBE Goal or Goal of Record [*circle whichever applies*] from ____% to _____%.

_____
Signature of Authorized Representative

_____
Print Name

_____
Title

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20__, by _____.

_____
Notary Public

_____
(Printed name of Notary Public)

My Commission Expires:

[__] Personally Known
[__] Produced _____ as Identification

Attachment 5 - Form 2

INTENT TO PERFORM AS A SUBCONTRACTOR

TO: _____
(Name of Contractor)

ITB/RFP NUMBER:
PROJECT TITLE:
The undersigned intends to perform subcontract work in connection with the above project as (Check One):

☐ an individual ☐ a corporation
☐ a partnership

The DBE status of the undersigned has been described in connection with the above project.

The undersigned is prepared to perform the following described work in connection with the above project:

_____

_____

_____

_____

and at the following price: $_____

NOTE: Eliminate Price on Professional Service Contracts ONLY

The prime contractor has projected the following commencement date for such work, and the undersigned project's completion of such work as follows:

_____ Projected Commencement Date

_____ Projected Completion Date

With respect to the proposed subcontract described above, _____% of the dollar value of such subcontract will be sublet and/or awarded to non-DBE contractors and/or non-DBE suppliers.

The undersigned will enter into a formal agreement for the above work with the prime contractor conditioned upon execution of a contract with SFRTA. As a DBE subcontractor, I will cooperate with the certification and monitoring process set forth by DBE for the referenced project.

_____
Signature of DBE Date Name of DBE Firm

_____
Typed Name Address of DBE Firm

_____
Typed Title Telephone Number

Attachment 6

Regulations: 49 CFR Part 26

A link to the DBE regulation is available on the Federal Transit Administration's Civil Rights DBE web page (link below)

http://www.fta.dot.gov/civilrights/12326.html

The following link is for the U.S. Government Printing Office (GOP) that has current versions of the CFR.

http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl

Memorandum

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director

Date: June 17, 2015

Re: **CITT AGENDA ITEM 5B:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC), APPROVE TERMS OF INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE PROVISION OF FINANCIAL SUPPORT NOT TO EXCEED $13.9 MILLION FOR THE TRI-RAIL DOWNTOWN MIAMI LINK STATION IMPROVEMENTS AT THE MIAMI CENTRAL STATION; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSE **(BCC – Legislative File No. 151334)**

On June 17, 2015, the CITT voted (11-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 15-032. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Aye
Jonathan Martinez – Absent
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent
Peter L. Forrest – Aye
Prakash Kumar – Aye
Alicia Menardy, Esq. – Aye
Hon. James A. Reeder – Aye
Hon. Linda Zilber – Aye

cc: Alina Hudak, Deputy Mayor/Director Public Works & Waste Management Department
Bruce Libhaber, Assistant County Attorney

Amendment to Agenda Item 8(G)(1)

The Prime Sponsor moves to amend item 8(G)(1) in the following manner. In the Interlocal Agreement, Section 6 should now be numbered 6(A). In addition a subsection 6(B) should be created as follows:

(B) ASSIGNMENT OF REIMBURSEMENT AGREEMENT. SFRTA may execute and deliver to an AAF affiliate or third-party lender such assignment of any and all rights in favor of SFRTA and such Funds due to SFRTA under this Agreement as SFRTA may from time-to-time request while this Agreement remains in force and effect and upon written concurrence of the County which shall not be unreasonably withheld, conditioned or delayed.



Tri-Rail
Downtown Miami Link

Miami-Dade County
Board of County Commissioners
June 30, 2015

RTA SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

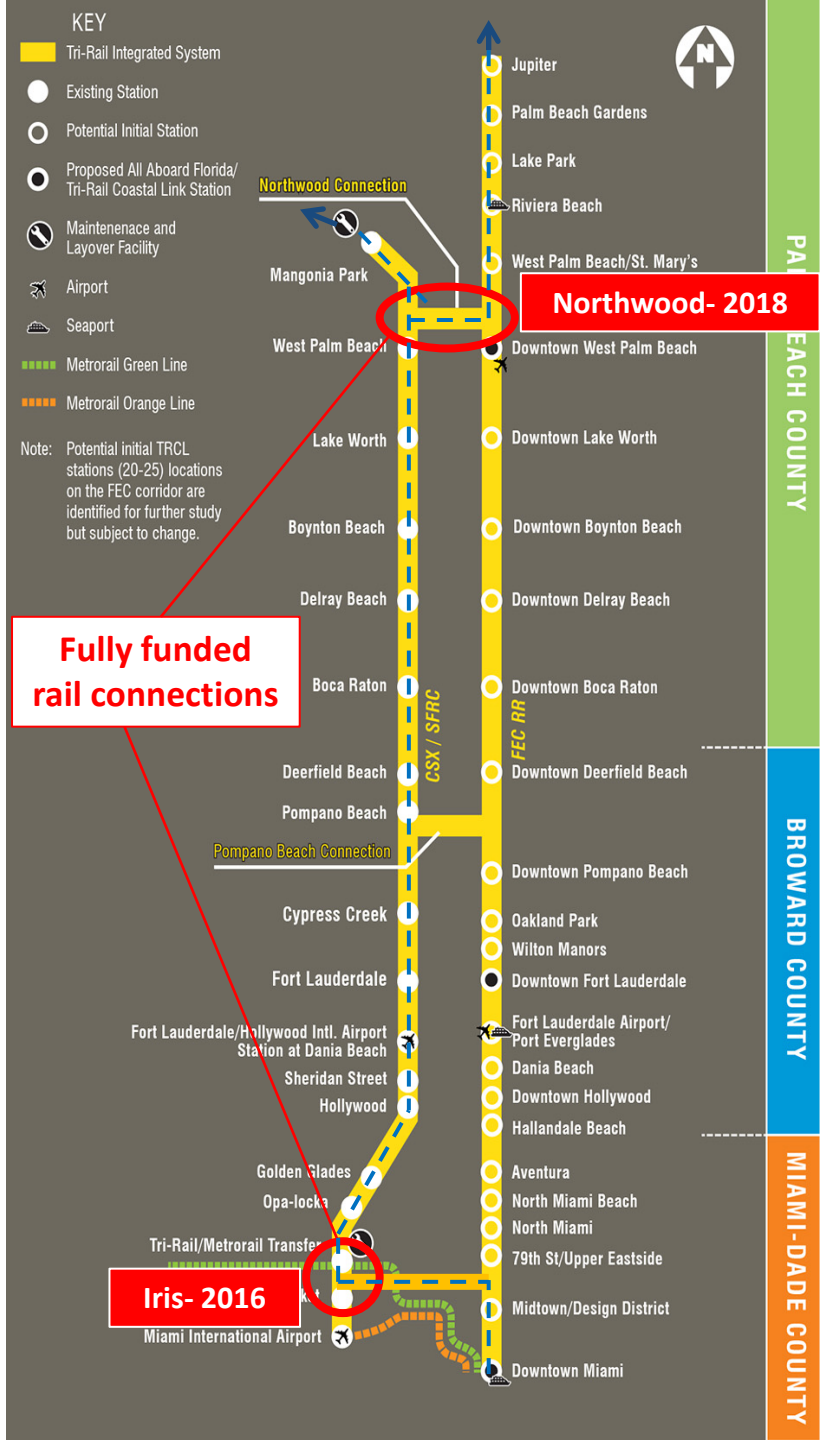
TRI-RAIL™

Florida East Coast INDUSTRIES

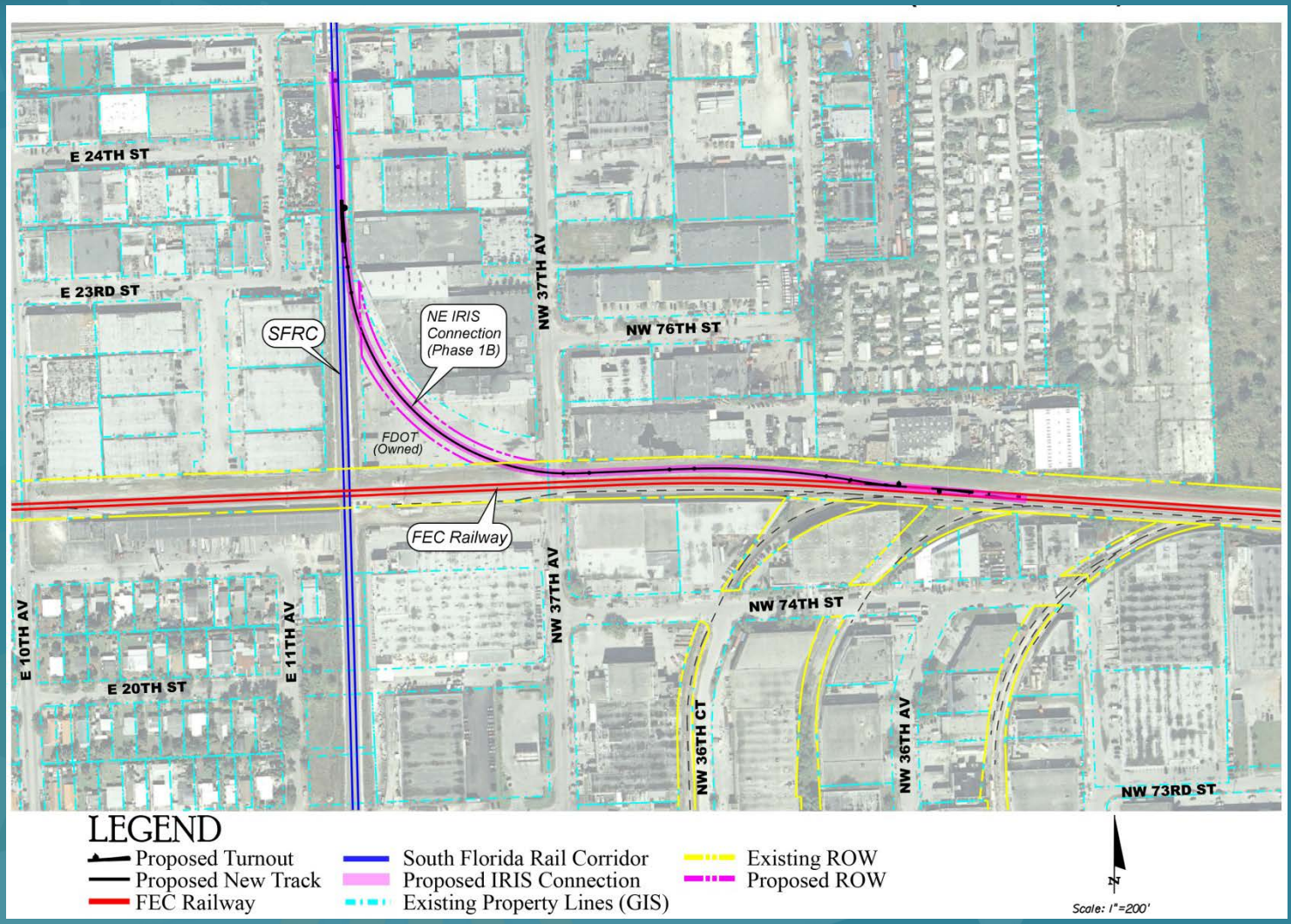
FEC Florida East Coast RAILWAY

CSX-FEC Rail Connections

- Key east-west rail connections between Tri-Rail/CSX & FEC
  - Allow for an integrated freight & passenger rail network
- USDOT TIGER V grant award
  - Multi-agency public-private partnership
  - $47.2 M total cost
    - TIGER- $13.7 M
    - FDOT- $29 M
    - CSX- $1 M
    - FEC- $1 M
    - SFRTA- $2.5 M
  - Opens opportunities for near-term Tri-Rail expansion



Iris Rail Connection



Currently under design, construction to be completed by early 2016

Tri-Rail Downtown Miami Link

- Unique public-private partnership opportunity
- New service with 26 direct trains per weekday between Downtown Miami and all points north on the existing Tri-Rail system
- Fast implementation with service as early as Dec 2016
  - Same as All Aboard Florida
- Funding and agreements now being pursued
  - Involving multiple agencies



All Aboard Florida & Tri-Rail Downtown Miami Coordination

Tri-Rail | All Aboard Florida



Cross section of the proposed “MiamiCentral” Station in Downtown Miami

MiamiCentral Station & Transit Oriented Development



Tri-Rail Downtown Miami Link

Project Elements & Costs

- Rail infrastructure
  - Track & Signals
  - Grade crossing upgrades
    - Allowing for new Quiet Zones (on E-W segment)
  - Positive Train Control (PTC)

$19.3 Million

- Corridor access fee
  - Permanent perpetual easement
  - Iris Connection to Downtown Miami

$1 Million

- MiamiCentral Station
  - Tri-Rail section of the elevated station
  - Tri-Rail portion of shared station elements and supports

$48.6 Million

Tri-Rail Downtown Miami Link

Funding Partners

- Citizens Independent Transportation Trust
- City of Miami
- Florida Department of Transportation
- Miami-Dade County
- Miami Downtown Development Authority
- Omni Comm. Redevelopment Agency (CRA)
- SE Overtown/Park West CRA
- South Florida Regional Transp. Authority

Participants in Draft Funding Framework

Tri-Rail Downtown Miami Link

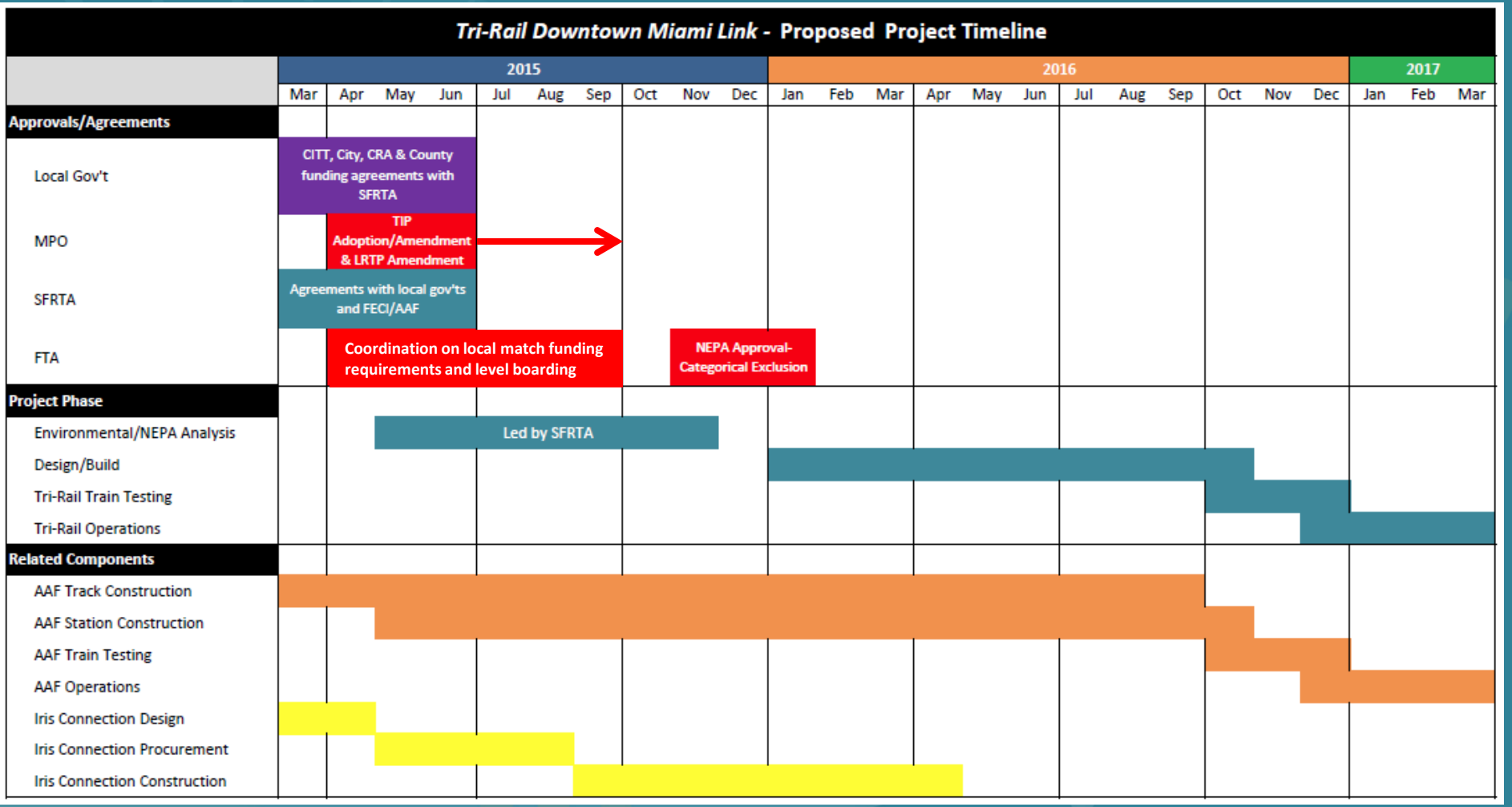
Partner Commitments

Entity	Contribution	% of Overall Project Cost
SEOPW CRA	$17,528,049	25%
Omni CRA	$3,750,000	5%
City of Miami	$7,167,000	10%
Miami Downtown Development Authority	$1,267,000	2%
DRI Fees	$1,180,030	2%
Miami-Dade County	$13,900,000	20%
FDOT Discretionary Fund* (Requested)	$3,107,921	4%
FDOT* (Requested)	$17,190,000	24%
South Florida Regional Transportation Authority (SFRTA)	$4,600,000	7%
TOTAL	$69,690,000	99%

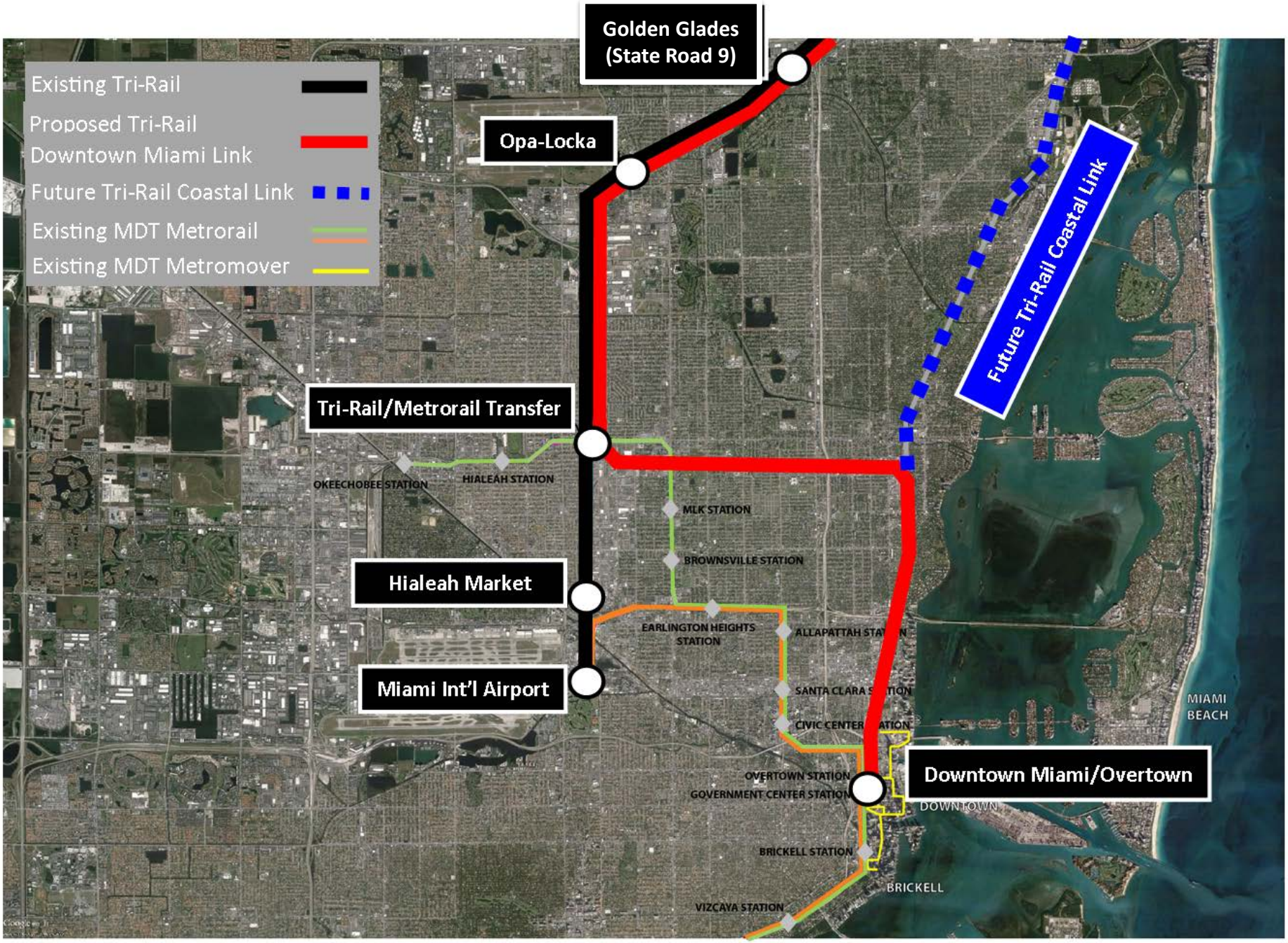
Funding Shortfall $750,000 / 1% (tied to financing)

Tri-Rail Downtown Miami Link

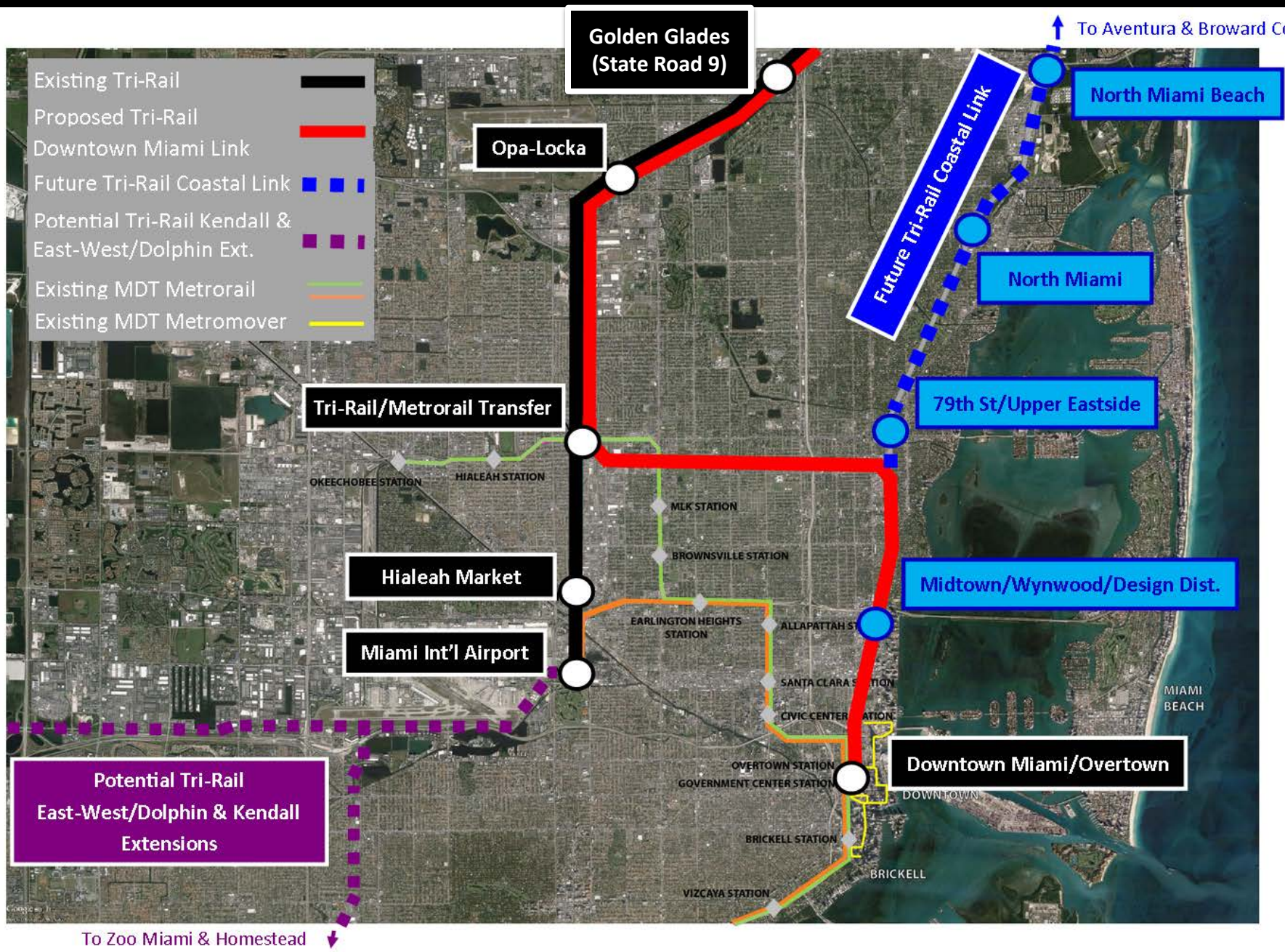
Proposed Project Timeline



Tri-Rail Downtown Miami Link Route

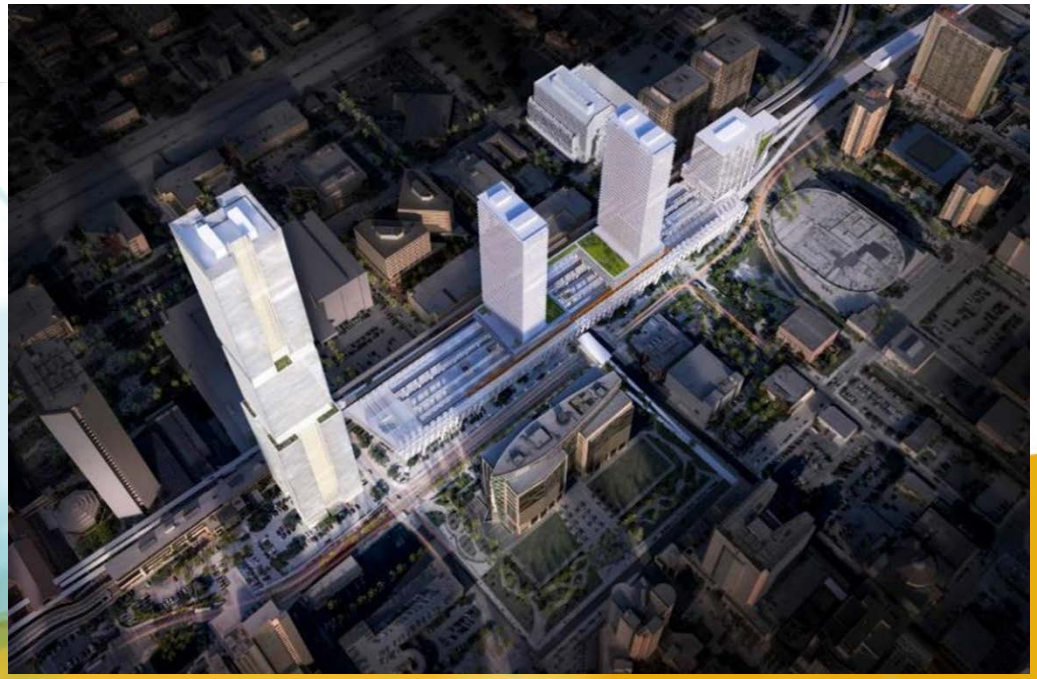


Tri-Rail Downtown Miami Link
and Other Rail Expansion Opportunities









RTA SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

Florida East Coast INDUSTRIES

SFRTA MOVING OUR REGION FORWARD

TRI RAIL™

FEC Florida East Coast RAILWAY

8G1

Citizens' Independent Transportation Trust
111 NW 1st Street • Suite 1010
Miami, Florida 33128
T 305-375-1357 F 305-375-4605
Transportation Trust @GoCITT

miamidade.gov/citt

CITT Board Members

Chairperson
Paul J. Schwiep, Esq.

First Vice Chairperson
Hon. Anna E. Ward, Ph.D

Second Vice Chairperson
Glenn J. Downing, CFP®

Joe Curbelo
Peter L. Forrest
Alfred J. Holzman
Prakash Kumar
Jonathan A. Martinez
Alicia Menardy, Esq.
* Miles E. Moss, P.E.
Hon. James Reeder
Marilyn Smith
* Hon. Linda Zilber

Executive Director
Charles Scurr

* Past Chairperson

June 19, 2015

Honorable Carlos Gimenez, Mayor, Miami-Dade County
Honorable Jean Monestime, Chair and Members of the Miami-Dade County Board of County Commissioners
Honorable Tomas Regalado, Mayor, City of Miami
Honorable Wilfredo Gort, Chair & Members of the Miami City Commission
Honorable Keon Hardemon, Chair and Members of the Southeast Overtown/Park West and Omni/Midtown Community Redevelopment Agencies
Honorable Marc Sarnoff, Chair and Members of the Miami Downtown Development Authority
Honorable Frank Carollo, Chair and Members of the Bayfront Park Management Trust
Honorable Bruno Barreiro, Chair and Members of the South Florida Regional Transit Authority
Honorable Gus Pego, District Secretary, Florida Department of Transportation

Re: Tri-Rail Downtown Miami Link

Dear Mayors, Chairs and Commissioners:

On June 17, 2015 the Transportation Trust unanimously adopted the attached Resolution approving the Interlocal Agreement between Miami-Dade County and the South Florida Regional Transportation Authority and authorizing an amount not to exceed $13.9 million for the Tri-Rail Downtown Miami Link Station Improvements at the Miami Central Station.

This project represents a remarkable and transformative opportunity for our community. It will provide direct commuter rail service to downtown Miami within two years opening up transportation alternatives and employment opportunities for our residents and visitors. It enhances Miami as a world class city and as the economic center of the region. It lays the groundwork for the Tri-Rail Coastal Link along the US 1 corridor with rail stations currently being planned for Midtown, 79th Street, North Miami, North Miami Beach and Aventura.

The public private partnership between SFRTA and All Aboard Florida to incorporate Tri-Rail into the Miami Central Station is innovative and has a compelling public purpose and benefit. It has always been planned that Tri-Rail would originate in downtown Miami. The Miami Central Station is the only logical terminus. To locate a future Tri-Rail station at some other remote downtown Miami location that would not be part of a downtown transportation center complex with direct connectivity to Metrorail, Metromover, Metrobus and the Miami Trolley system, assuming sufficient property could be located and purchased, would be inexplicable.

This project also includes an extraordinary collaboration and funding partnership of local governments, agencies and the State of Florida. The Trust is proud to be able to participate in this historic effort. We applaud those funding partners who have already committed their funding and urge all of the remaining funding partners to approve their respective portions of the project. If we do not move forward now this opportunity may be lost and future generations will wonder how we failed to seize this once in a lifetime opportunity.

We look forward to continuing to work with you and all of the partners on this critically important investment in our community.

Sincerely,

Paul Schwiep
Chair

Charles Scurr
Executive Director

Attachment

CC: Trust Board
Danny Alfonso, City of Miami
Clarence Woods, Southeast Overtown/Park West CRA
Pieter Bockweg, Omni/Midtown CRA
Alyce Robertson, DDA
Timothy Schmand, Bayfront Park Management Trust
Jack Stephens, SFRTA
Bruce Libhaber, CAO
Alex Bokor, CAO
Francois Ilias, AAF

AD

SG1

Elected Official courtesy

Francois Ilias + Company

Steve Abrams, Commissioner, Palm Beach County is here to address SG1, Tri-Rail funding.

He is the Past Chair of the South Florida Regional Transportation Authority

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: COMM. BCC Agenda Item #: 8G1

Subject: FINANCIAL SUPPORT TRI-RAIL DOWNTOWN LA

Name: ROBERT GETTNER

Address: 111 E. FLAGLER ST. #1005 MIAMI 33131

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: Tues. mtg. Agenda Item #: 8-G-1

Subject: In Support of Tri-Rail Downtown

Name: Juan Mendieta

Address: 300 NE 2nd Ave, Miami

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Miami Dade College
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 8G1

Subject: TRI-RAIL

Name: TERRELL FRITZ

Address: 111 E FLAGLER ST MIAMI

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: June 3, 2015 Meeting: 6/30 Agenda Item #: [illegible]

Subject: [illegible] Miami Service Corps

Name: [illegible]

Address: [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: [illegible]
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 6/30/15 BCC Mtg. Date ~~SK3~~ 6/30 Agenda Item # SK3

Subject: _____

_____

Name: ERIC KNOWLES

Address: 100 S BISCAYNE BLVD 3RD FLR

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: ✓ No: ____

MIAMI DADE CHAMBER OF COMMERCE

If yes, please list name: _____ / _____ / _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes: ____ No: ____

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BCC Agenda Item #: 8K3

Subject: Economic Prosperity committee

Name: Dr Pandwe Gibson

Address: 667 NW 90th st 33150

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: ~~EcoTech Visions~~ Dr. Pande Gibson

Organization ~~Firm~~ Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

MEMORANDUM

Agenda Item No. 10(A)(1)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving amendment to the five-year Implementation Plan of the People's Transportation Plan to include the Quail Roost Park & Ride facility and the Tri-Rail Downtown Miami Link Central Station

The accompanying resolution was prepared by Citizens' Independent Transportation Trust and placed on the agenda at the request of Co-Prime Sponsors Commissioner Bruno A. Barreiro and Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Amendment to the Five Year Implementation Plan of the People's Transportation Plan

---

The attached item is being placed on the agenda of the Board of County Commissioners (Board) at the request of Charles Scurr, Executive Director of the Citizens' Independent Transportation Trust (Trust), for approval.

The Five Year Implementation Plan was established pursuant to the ordinance governing the activities of the Trust (Ordinance 02-116) as amended by the Board of County Commissioners (Board) on September 21, 2010. The procedure to amend the Five Year Implementation Plan includes that such proposals shall be initially reviewed by the Trust, which shall forward a recommendation to the Board. The Trust recommends the amendment of the Five Year Implementation Plan to include the Quail Roost Park and Ride Facility and the Tri-Rail Downtown Miami Link Central Station projects.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 10(A)(1)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 10(A)(1)
6-30-15

RESOLUTION NO. _____

RESOLUTION APPROVING AN AMENDMENT TO THE FIVE-YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN TO INCLUDE THE QUAIL ROOST PARK & RIDE FACILITY AND THE TRI-RAIL DOWNTOWN MIAMI LINK CENTRAL STATION

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, the People's Transportation Plan (PTP) is a publicly-supported transportation improvement program established to develop an integrated mass transportation network and to complete roadway improvements in Miami-Dade County and its municipalities; and

WHEREAS, the Board of County Commissioners, on September 21, 2010, adopted Ordinance 10-53 requiring the Citizens' Independent Transportation Trust ("CITT"), in consultation with the Mayor, to recommend to the Board of County Commissioners a Five Year Implementation Plan (the "Plan") that includes a detailed scope of work, schedule and budget for each project included in Exhibit 1 of the PTP, as amended, anticipated to be implemented in whole or in part during the five year period; and

WHEREAS, Ordinance 10-53 further requires the Plan shall be updated annually; and

WHEREAS, in accordance with Ordinance 02-116, it is necessary to amend the Plan to include the Quail Roost Park and Ride Facility Project along the Busway and SW 184th Street and the Tri-Rail Downtown Miami Link Central Station Project before the projects can be eligible for Charter County Transportation Surtax funding; and

WHEREAS, on March 18, 2015, and May 20, 2015, the CITT forwarded favorable recommendations to the Board of County Commissioners to amend the Five Year Implementation Plan and include the Tri-Rail Downtown Miami Link Central Station, and the Quail Roost Park & Ride Facility, respectively,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby adopts an amendment to the Five Year Implementation Plan of the People's Transportation Plan to include the Quail Roost Park & Ride Facility and the Tri-Rail Downtown Miami Link Central Station, as outlined in the corresponding document in the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

Memorandum

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director

Date: May 28, 2015

Re: Resolution by the Citizen's Independent Transportation Trust Recommending an Amendment to the Five Year Implementation Plan of the People's Transportation Plan (PTP) to Include the Quail Roost Park and Ride Facility Along the Busway and SW 184 Street Project and the Tri-Rail Downtown Miami Link Central Station

In accordance with Ordinance 02-116, it is necessary to amend the Five Year Implementation Plan of the People's Transportation Plan (PTP) to include the Quail Roost Park and Ride Facility along the Busway and SW 184th Street and the Tri-Rail Downtown Miami Link Central Station before these projects can be eligible for Charter County Transportation Surtax funding.

Quail Roost Park & Ride Facility

In order to improve passenger access to the South Miami-Dade Busway station and provide additional parking capacity, MDT proposed to construct the Quail Roost Park and Ride Lot on approximately three (3) acres of property located west of the existing South Miami-Dade Busway transit station at the southeast corner of SW 184 Street (Eureka Drive) and Homestead Avenue. On March 4, 2014, MDT completed the acquisition of the three (3) acre parcel of land designated for construction of the park and ride lot.

This Park and Ride Lot would accommodate approximately 295 parking spaces. The MDT routes, which will serve this Park and Ride, include those that currently operate along the Busway: Route 31 (Busway Local), Route 34 (Busway Flyer), Route 35 and Route 38 (Busway MAX).

MDT has requested the use of Charter County Transportation Surtax Funds to fund a portion of this project.

Tri-Rail Downtown Miami Link Central Station

The South Florida Regional Transportation Authority (SFRTA) is the public agency that operates the Tri-Rail network. The Tri-Rail system began in 1989 and currently operates 72 miles of commuter rail along the I-95 CSX corridor (now known as the Tri-Rail corridor) from West Palm Beach to Miami International Airport.

SFRTA has also been the lead local agency working with the Florida Department of Transportation (FDOT) on the Tri-Rail Coastal Link project which would add 80+ miles of commuter rail along the US 1 Florida East Coast (FEC) corridor. That project, which is still in the planning stages, would go from downtown Miami to Jupiter and would include five stations in Miami-Dade County including the Design District, 79th Street, North Miami, North Miami Beach and Aventura.

There have been two other major initiatives that have been underway. The first is the connection of a rail link between the Tri-Rail corridor and the FEC corridor. This project has been funded by the FDOT through a federal TIGER Grant. This project, initially conceived as part of the freight rail plan provides for the east west movement of trains from the Port of Miami to west Miami-Dade County.

Additionally, All Aboard Florida (AAF) is establishing inter-city rail service from Miami to Orlando. This project, which is just beginning construction, includes a Miami Central Station which will be located immediately adjacent to the Miami-Dade Government Center and will consist of the rail station and a comprehensive transit oriented development with extensive retail office and residential projects.

The convergence of these initiatives has provided an extraordinary opportunity for the community and the Transportation Trust (Trust/CITT). It had always been planned that the Tri-Rail Coastal Link would originate in downtown Miami. It is essential that this project be part of a fully coordinated and integrated transportation system with direct connectivity to the Metrorail and Metromover systems.

The AAF Miami Central Station is the only logical terminus for the Tri-Rail projects. To locate a future Tri-Rail station at another remote downtown Miami location not part of the All Aboard Florida, Metrorail and Metromover station complex would be inexplicable.

SFRTA and AAF, realizing this potential and synergy have developed a plan that would, as part of the construction of the Miami Central Station, construct the tracks, platforms and station space needed for Tri-Rail. Additionally, Tri-Rail has developed an operational plan that would, using the FDOT TIGER connector, bring existing Tri-Rail service to downtown Miami with the opening of AAF. In early 2017 it will be possible to have over 26 commuter trains a day coming directly to downtown Miami. This transformational project, however, can only occur if the Tri-Rail improvements to the Miami Central Station are done now. If they are

not accomplished now the feasibility and cost of doing them later is problematic and might not occur.

SFRTA has taken the lead in developing a collaborative funding partnership to complete this $69 million investment. The partnership is planned to include FDOT, SFRTA, the City of Miami, the Miami Downtown Development Authority and the two Community Redevelopment Agencies (CRA) where the project is located. These are the Southeast Overtown Park West CRA and the Omni CRA. They have also identified the need for Miami-Dade County/CITT participation.

The County/CITT contribution is $13,900,000. This represents 20% of the project cost and would be used for the Tri-Rail portion of the Miami Central Station. It will not be used for the AAF part of the project. The source of funds will be the Capital Expansion Reserve which was established to continue and stimulate progress on major new investments in the PTP corridors.

On March 18, 2015 and May 20, 2015 the CITT forwarded with a favorable recommendation to approve CITT Resolutions 15-012 and 15-026, respectively.

cc: Alina T. Hudak, Deputy Mayor
Jennifer Glazer-Moon, Director, Office of Management and Budget
Ysela Llort, Director, Miami-Dade Transit
Jesus Guerra, Interim Executive Director, Metropolitan Planning Organization
Bruce Libhaber, Assistant County Attorney

FLA. LOTTERY

SELECTED SUNDAY, MAY 31

Midday Cash 3	5-9-9
Midday Play 4	7-7-1
Night Cash 3	2-6-5-6
Night Play 4	2-0-7-9
Fantasy 5	2-3-13-15-25

SATURDAY, MAY 30

FANTASY 5: 12-15-18-26-31

CORRECT	PAYOFF	WINNERS
5 of 5	$262,488.47	1
4 of 5	$125	338
3 of 5	$10.50	11,105

LOTTO: 6-7-14-29-30-37 (Xtra: x3)

CORRECT	PAYOFF	WINNERS
6 of 6	$0	0
5 of 6	$4,840.50	22
4 of 6	$66.50	1,577
3 of 6	$5	32,316

Wednesday's jackpot: $13 million

POWERBALL: 8-9-25-56-57 +22 (Xtra: x2)

CORRECT	PAYOFF	WINNERS
5 of 5+1	$0	0
5 of 5	$1,000,000	1
4 of 5+1	$10,000	3
4 of 5	$100	69
3 of 5+1	$100	105
3 of 5	$7	3,788
2 of 5+1	$7	1,934
1 of 5+1	$4	12,436
0 of 5+1	$4	24,401

Wednesday's jackpot: $180 million

FRIDAY, MAY 29

FANTASY 5: 1-17-23-24-25

CORRECT	PAYOFF	WINNERS
5 of 5	Rolldown	0
4 of 5	$555	371
3 of 5	$16.50	10,072

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President, Foreclosure Alternatives, Inc.
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PROPERTY INSURANCE

Officials: Insurance relief near

• STORMS, FROM 1B

Since becoming governor, Scott pushed to have Citizens reverse that trend. Homeowners have been steered out of the company into private insurance companies. The result is that Citizens has gone from nearly 1.5 million policyholders to slightly under 600,000 policies.

Many remaining customers live near the coast or in South Florida. But Gilway notes that as Citizens shrinks it is left with the policies that private insurers are less likely to want. And these policy holders will continue to see increases in the future including the next round in January.

"If you buy a coastal home, you should expect to pay an appropriate rate for exposure to that home," Gilway said. "The hurricane risk, the wind risk and the flood risk clearly is significantly higher along the coast."

The reasons for Florida's high rates have triggered endless argument among state lawmakers and others in the last two decades. But the biggest expense remains the cost of reinsurance.

Jay Neal, president and CEO of the Florida Association for Insurance Reform, says state officials could do more to push down rates for policyholders.

Neal notes that elected officials have focused on doing everything they can to reduce the prospect of surcharges, or the "hurricane tax."

But Neal's group said rates would come down if the reinsurance sold by the "Cat Fund" was available to private insurers more easily. Currently, companies have to pay off billions in claims before the state fund kicks in, forcing them to buy a large amount of private reinsurance year after year.

"Whether there's a storm or not they have that expense," Neal said. "They keep saying we have to spread this risk. The reality is they are asking us to pay 10 percent more every year from now on to avoid the chance to pay 2 percent more after a storm."

LAW ENFORCEMENT

Fatal police shootings in Fla. triple in past 15 years

• POLICE SHOOTINGS, FROM 1B

state Department of Law Enforcement statistics show the number of fatal police shootings has tripled in the past 15 years, even as crime has plummeted.

NO CHARGES

In South Florida's Broward County, no officer has been charged in a fatal on-duty police shooting since 1980, a period that covers 168 shooting deaths.

"The court never goes against the police," said Rajendra Ramsahal, whose brother-in-law, Deosaran Maharaj, was killed by a Broward

deputy last year.

In civil wrongful death cases throughout South Florida, lawyers discovered files missing, dashboard camera videos erased and police department accounts that did not match the evidence. Cases like McBean's underscore how law enforcement agencies handling their own shooting investigations can be exposed to criticism years after the crime-scene tape has been taken down and the television cameras are gone.

Nearly two years after his death, and months after The New York Times began inquiring about the case, the state attorney for Broward County has subpoenaed a key witness to testify before a grand jury and assigned the case to a public corruption prosecutor.

Some cases are getting more attention. The death of a black man shot multiple times by Coconut Creek police officers firing Taser stun guns was ruled a homicide this month by the Broward County Medical Examiner's Office. The police chief, Michael Mann, resigned in March after it was revealed three of the four officers involved were not certified in Taser use. The family of the victim has asked the U.S. attorney general for an independent investigation.

In 2013, law enforcement agencies around the state asked the Department of Law Enforcement for help in 50 use-of-force and shooting investigations. A year later, requests had more than doubled to 103. Department officials asked the Legislature for $1.6 million to hire 14 additional special agents to handle the load.

"I don't think the communities trust their police enough anymore," said Charles Drago, a Broward sheriff reserve officer who was deputy chief of staff for law enforcement for former Gov. Charlie Crist. "They demand more transparency."

FEDERAL OVERSIGHT

In 2011, a string of fatal shootings in Miami led to a U.S. Department of Justice investigation into the department. The Justice Department found an unconstitutional "pattern or practice" of excessive use of force, which led to reforms and federal oversight.

The federal agency confirmed it opened an inquiry last month into the 2013 death of Charles Eimers, a Michigan man who died after he was stopped for an illegal lane change in Key West. Police dashboard camera videos that could have shed light on his death were erased, even while one Taser device recording captured an officer suggesting police should get their stories straight and another by a tourist showed a vastly different event than the one police had first described.

The Broward County public defender, Howard Finkelstein, said he had asked the Justice Department to investigate policing in his county but had received no response. "When you look at the fact that every single person ever shot in Broward County by a cop deserved it, that's stunning," Finkelstein said.

Michael Satz, state attorney for Broward County since 1976, declined to discuss open cases but defended his office's record.

"Just in the last five years, we have charged 92 law enforcement officers with criminal offenses," Satz said in a statement. "We take all police misconduct very seriously."

He said the perception of a lack of fairness was "unfortunate," and stressed a grand jury reviewed the circumstances of every police shooting in his county and reports were later made public.

McBean was one of four people killed by the Broward Sheriff's Office in six weeks during the summer of 2013. Of the department's 17 fatal police shootings in the past five years, his is one of eight for which a grand jury presentation and internal affairs ruling are still pending.

Prosecutors finally contacted key witnesses last week, a few days after the family filed a lawsuit, said family lawyer David Schoen. Among the witnesses whom prosecutors interviewed last week was Michael McCarthy, who called 911 that July afternoon to report a black man walking down a busy North Dixie Highway with what appeared to be a rifle.

McBean, who had a history of mental illness, had the day off from his job at an advertising agency because he had just been released from a hospital. He had been admitted for a few days because he briefly stopped taking his medication, said his brother, Alfred McBean.

In a move that baffled his family, he walked to a pawnshop where he paid $106 for a green camouflage-colored Winchester 1000 air rifle, a device that uses compressed air to fire pellets but can be easily mistaken for a hunting rifle. Three people called 911 to report him, saying he was "screaming to himself" but perhaps holding a toy.

'IT WAS JUST A BB GUN'

A deputy, a sergeant and a lieutenant went up behind McBean after he turned into the complex where he lived, and they shouted for him to drop the weapon. After ignoring them, McBean at one point stopped and started to turn to his right, when the deputy, behind him on his left, began to fire, records and interviews show. McBean fell on his back, howled in pain and said: "It was just a BB gun."

In a sworn statement, the lieutenant said McBean had pointed the weapon "in a menacing manner," something McCarthy and another witness interviewed disputed.

Sheriff's office homicide detectives investigating the shooting interviewed several people at the nearby pool, but did not ask them whether McBean pointed the gun at the officers, transcripts show.

The deputy who shot him, Peter Peraza, said he had feared for his life, convinced McBean was about to start firing. Peraza was asked at least five times whether there was any reason McBean would not have heard the officers' commands, such as whether there was anything in his ears. Each time, Peraza said no. Investigators learned last week a neighbor had taken a picture clearly showing white earphone cables coming out of McBean's ears and two officers close to the body.

Sheriff Scott Israel declined to comment on the pending case, but insisted the sheriff's office conducted thorough investigations of its shootings.

"There is no thin blue line here," Israel said. "We turn out honest and forthright investigations."

He said the nationwide spike in shootings of unarmed men concerned him, and he had sent a message to his deputies that anyone who shot an unarmed suspect would have to answer to him. The sheriff acknowledged the investigations were slow to conclude. "Getting it right is more important than getting it fast," he said.

POLITIFACT FLORIDA

Sorting out the truth in Medicaid mess

• BUDGET, FROM 1B

POLITIFACT FLORIDA IS A PARTNERSHIP BETWEEN THE MIAMI HERALD AND TAMPA BAY TIMES TO CHECK OUT TRUTH IN POLITICS.

ng instead the program could be gradually phased out. But questions still remain about what to do with the budget, even with federal money coming back.

There have been plenty of arguments about both the LIP and Medicaid expansion, with PolitiFact Florida working hard to cover all the bases.

RICK SCOTT VS. WASHINGTON

In April, the federal government told Florida that Medicaid expansion could be an alternative to the LIP. Scott and Republicans said this was counter to a 2012 U.S. Supreme Court ruling that kept Washington from withholding Medicaid money in states that didn't expand the program, which the feds later denied. Scott sued the Obama administration for allegedly coercing the state into expanding Medicaid.

Scott has often characterized the issue as the U.S. government's fault. "The same federal government that offers some money for a program is walking away from another health care program," he said in an April 6 speech.

The federal government did say it would stop paying for the program, so Scott has a point about losing LIP money. But Washington gave plenty of notice it was going to let the experimental LIP program expire, giving Florida ample notice to address the issue. Several health policy experts also raised the point that federal LIP funding is discretionary, while Medicaid money is guaranteed by law, which is unlikely to change anytime soon. We rated Scott's statement Half True.



PolitiFact.com

MORE HOUSE OPPOSITION

The arguments against expansion continued to be major talking points in the House. Speaker Steve Crisafulli, R-Merritt Island, said in April that his constituents weren't very concerned with extending Medicaid to more Floridians.

"Medicaid expansion isn't necessarily a very popular issue on the street," he said.

He was speaking broadly about how constituents don't want the expansion. Several polls give the edge to a majority of Floridians favoring the expansion, although results vary depending on how the questions are worded. A recent conservative poll found that Republicans don't like the expansion by a wide margin.

Taken together, those numbers present a more nuanced picture than what Crisafulli suggested. We rated his statement Half True.

Later that month, Crisafulli said expanding Medicaid under Obamacare would be harmful to people who were enjoying private insurance bought with subsidies provided by the same Affordable Care Act.

"If we choose Obamacare expansion, 600,000 will lose eligibility for their subsidies, of which 257,000 would be forced into Medicaid," Crisafulli said.

Crisafulli was describing state projections that estimated about 609,000 Floridians would lose access to subsidies to buy insurance under an expansion. About 257,000 of those people would be uninsured, likely because they're too poor to buy their own. The rest could enroll in Medicaid if they wanted to. But experts told us that saying those people would be forced into the program isn't accurate. Many of the very poor would likely see becoming eligible for Medicaid as a benefit.

We rated his statement Mostly True.

This is an edited version of the original PolitiFact Florida item. Go to politifact.com/florida to read the full item. Spot a claim during the special session about Medicaid expansion, the budget or other topics in need of fact-checking? Tweet us #PolitiFactThis or email us at truthometer@politifact.com.

MIAMI-DADE COUNTY

Notice of Public Hearing

Notice is hereby given that a public hearing will be held by the **Transit & Mobility Services Committee of the Miami-Dade County Board of County Commissioners** in the Commission Chambers, second floor, **111 NW First Street, Miami, Florida**, during a meeting to begin at approximately **9:30 a.m. on June 10, 2015**, to consider amendments to the Five Year Implementation Plan of the People's Transportation Plan (PTP) to include: a) the **Quail Roost Park & Ride Facility** along the South Miami-Dade Busway and SW 184 Street that would create approximately 295 new parking spaces and is requesting Charter County Transportation Surtax Funds b) the **Tri-Rail Downtown Miami Station** to serve as the terminus station for the Tri-Rail Downtown Miami Link and the Tri-Rail Coastal Link and is requesting Charter County Transportation Surtax Funds.

The Five Year Plan details the County's transportation improvements contained in the People's Transportation Plan (PTP) expected to be funded by the Charter County Transportation Surtax Funds over a five-year period. It includes a detailed scope of work and budget for each project.

At the hearing, the Transit & Mobility Services Committee will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic, and environmental aspects of these projects. Interested persons may submit evidence and recommendations, orally or in writing, with respect to said projects. A description of the projects is available for review at **miamidade.gov/citt**, or by email at **citt@miamidade.gov** or by calling 305-375-1357.

A person who decides to appeal a decision made by a board, agency, or commission with respect to any such matter considered at its meeting or hearing will need a record of all proceedings. Such person may need to insure that a verbatim record of the proceedings is made, including testimony and evidence upon which the appeal is based.

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All interested parties are invited to attend. For copies of the PTP and/or for further information, please contact the Office of the Citizens' Independent Transportation Trust, Stephen P. Clark Center, 111 NW First Street, Miami, Florida 33128, phone: 305-375-1357; e-mail: citt@miamidade.gov, website: www.miamidade.gov/citt.

For legal ads online, go to http://legalads.miamidade.gov

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RESOLUTION NO. 15-025

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST RECOMMENDING TO THE BOARD OF COUNTY COMMISIONERS AN AMENDMENT TO THE FIVE YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN TO INCLUDE THE QUAIL ROOST PARK AND RIDE FACILITY ALONG THE BUSWAY AND SW 184 ST PROJECT (PROJECT) FUNDED IN PART BY CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

WHEREAS, it is necessary to amend the Five Year Implementation Plan of the People's Transportation Plan ("PTP") to include the Quail Roost Park and Ride Facility along the Busway and SW 184th Street before the project can be eligible for Charter County Transportation Surtax funding; and

WHEREAS, Miami-Dade Transit ("MDT") desires to improve passenger access to the South Miami-Dade Busway station and provide additional parking capacity; and

WHEREAS, MDT proposes to construct a 295 parking space Park and Ride Facility on approximately three (3) acres of property located west of the existing South Miami-Dade Busway transit station at the southeast corner of SW 184 Street and Homestead Avenue; and

WHEREAS, the Board of County Commissioners authorized the County Mayor, Mayor's designee, or the MDT Director to file a grant application with the USDOT for the planning, design, right-of-way engineering/acquisition, construction, design services during construction and project administration for the construction of the Quail Roost Park and Ride Facility along the Busway and SW 184th Street; and

WHEREAS, MDT received approval of a grant application in the amount of $2,493,448.00 from the State of Florida Department of Transportation (FDOT) to provide State Park and Ride Program funding for the Quail Roost Park and Ride Facility at the corner of SW 184th Street and the South Miami-Dade Busway, Miami-Dade County Florida; and

//

WHEREAS, FDOT agrees to pay fifty percent (50%) of the non-Federal share, for the planning, design, right-of-way acquisition, engineering, construction, inspection and marketing of maximum participation, including contingencies, in the amount of $1,246,724; and

WHEREAS, MDT desires to use Charter County Transportation Surtax funding as the required local match,

NOW, THEREFORE, BE IT RESOLVED BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST, that this Trust approves an amendment to the Five Year Implementation Plan to include the Quail Roost Park and Ride Facility Project funded in part by Charter County Transportation Surtax funds

The foregoing resolution was offered by Prakash Kumar, who moved its adoption. The motion was seconded by Jonathan Martinez and upon being put to vote, the vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Aye
Jonathan Martinez – Aye
Miles E. Moss, P.E. – Absent
Marilyn Smith – Aye
Peter L. Forrest – Aye
Prakash Kumar – Aye
Alicia Menardy, Esq. – Absent
Hon. James A. Reeder – Absent
Hon. Linda Zilber – Absent

The Chairman thereupon declared the resolution duly passed and adopted this 20th day of May, 2015.

Approved by the County Attorney as to form and legal sufficiency

By: _____
Executive Director

RESOLUTION NO. 15-012

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST SUPPORTING THE TRI-RAIL DOWNTOWN MIAMI LINK AND THE TRI-RAIL STATION IMPROVEMENTS TO THE MIAMI CENTRAL STATION AND APPROVING AN AMENDMENT TO THE FIVE YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) TO INCLUDE CHARTER COUNTY TRANSPORTATION SURTAX FUNDING FOR THE PROJECT

WHEREAS, the South Florida Regional Transportation Authority ("SFRTA") operates a commuter rail service known as "Tri-Rail" and through its Tri-Rail Coastal Link project, is proposing to reintroduce passenger service along an 85-mile stretch of the Florida East Coast ("FEC") railway corridor ("FEC Corridor") between Jupiter and downtown Miami, connecting 28 of the most densely-populated municipalities in eastern Miami-Dade, Broward and Palm Beach counties; and

WHEREAS, presently Miami Central Station, a new, multi-modal transit facility, is being developed in downtown Miami as part of its planned inter-city rail passenger service between Miami and Orlando and which station can be modified to accommodate Tri-Rail service; and

WHEREAS, the Five Year Implementation Plan of the People's Transportation Plan (PTP) includes a Northeast Corridor Project which includes different possible linkages for Tri-Rail and Tri-Rail Coastal Link; and

WHEREAS, commuter rail service in downtown Miami will be a transformative addition to the public transportation system of South Florida, Miami-Dade County and the City of Miami; and

WHEREAS, planned and funded improvements along the FEC Corridor will connect it with the South Florida Rail Corridor owned by the State of Florida (formerly the CSX corridor) which will permit Tri-Rail passenger trains to immediately access the FEC Corridor in order to establish passenger service to downtown Miami (the "Tri-Rail Downtown Miami Link") as soon as 2017; and

WHERES, the Tri-Rail Downtown Miami Link will provide residents of northeast Miami-Dade County (the "County"), including those of communities like Opa-Locka and Miami Gardens, and visitors with a viable transportation alternative to congested streets and highways to access downtown Miami; and

WHEREAS, Tri-Rail Downtown Miami Link's service will access the Miami Central Station along the same viaduct serving other rail service to the station and then terminate on an elevated platform located approximately fifty (50) feet above grade; and

WHEREAS, such service originating at the Miami Central Station will require the construction of elevated platforms and related station improvements to accommodate Tri-Rail service (the "Tri-Rail Station Improvements"); and

WHEREAS, time is of the essence as construction of the Miami Central Station has already commenced and the window to incorporate needed station modifications to include the Tri-Rail service is limited; and

WHEREAS, the Tri-Rail Station Improvements can be advanced by SFRTA upon a written commitment from the County, City, and other public agency partners that each will contribute a portion of the anticipated costs of the Tri-Rail Station Improvements; and

WHEREAS, the investment of Charter County Transportation Surtax dollars in Tri-Rail's Downtown Miami Link and the Tri-Rail component of Miami Central Station is an essential component of the planned Tri-Rail Coastal Link; and

WHEREAS, the contribution of funds by the County or County funding sources including Charter County Transportation Surtax funds is required as the County share of investment into the anticipated costs of Tri-Rail Station Improvements to the Miami Central Station; and

WHEREAS, as time is of the essence due to the unique opportunity presented to the community to take advantage of integration in Miami Central Station, the County Mayor or Mayor's Designee should complete any negotiations in time to present an agreement to this Board on or before the scheduled June 16, 2015 meeting; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST, that this Trust supports the Tri-Rail Downtown Miami Link and the Tri-Rail Station Improvements to the Miami Central Station and approves an amendment to the Five Year Implementation Plan of the PTP to include Charter County Transportation Surtax funding for the Tri-Rail Station Improvements to the Miami Central Station.

The foregoing resolution was offered by Hon. Linda Zilber, who moved its adoption. The motion was seconded by Hon. Anna E. Ward, Ph.D. and upon being put to vote, the vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Aye
Jonathan Martinez – Absent
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent
Peter L. Forrest – Aye
Prakash Kumar – Aye
Alicia Menardy, Esq. – Aye
Hon. James A. Reeder – Aye
Hon. Linda Zilber – Aye

The Chairman thereupon declared the resolution duly passed and adopted this 18th day of March, 2015.

Approved by the County Attorney as to form and legal sufficiency

By: Charles Scurr
Executive Director

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BBC Agenda Item #: 10 A1

Subject: Tri Rail

Name: Larry Woods

Address: 50 Biscayne Blvd 3306

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 10 A 1

Subject: TRI-RAIL

Name: TERRELL FRITZ

Address: [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: COMM. BCC Agenda Item #: 10-A-1

Subject: IMPLEMENT. PEOPLES TRANSPORTATION PLAN

Name: ROBERT GETTER

Address: 111 E. FLAGLER ST. #1005 MIAMI 33131

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

MEMORANDUM

Agenda Item No. 11(A)(1)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution directing the County Mayor to consult with the Miami-Dade County Homeless Trust, the City of Miami and the Miami Downtown Development Authority to identify additional placement opportunities for homeless individuals and to consider the feasibility of implementing a portable bathroom program in the Downtown Miami area, and to prepare and submit a report

This item was amended at the 5-14-15 Economic Prosperity Committee to require the County Mayor to consult with the City of Miami and the Miami Downtown Development Authority (in addition to the Homeless Trust Board) to identify additional placement opportunities for individuals transitioning out of homelessness and to consider the feasibility of implementing a portable bathroom program in the downtown Miami area (and then to report back to the BCC). The item only requires a report.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(1)
6-30-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONSULT WITH THE MIAMI-DADE COUNTY HOMELESS TRUST, THE CITY OF MIAMI AND THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY TO IDENTIFY ADDITIONAL PLACEMENT OPPORTUNITIES FOR HOMELESS INDIVIDUALS AND TO CONSIDER THE FEASIBILITY OF IMPLEMENTING A PORTABLE BATHROOM PROGRAM IN THE DOWNTOWN MIAMI AREA, AND TO PREPARE AND SUBMIT A REPORT

WHEREAS, homeless individuals often face unique health-related and/or economic challenges that led to becoming homeless; and

WHEREAS, those unique challenges are exacerbated by living life on the street, without the protection of steady shelter; and

WHEREAS, homeless individuals often require assistance to transition out of homelessness; and

WHEREAS, the County currently administers funding from a variety of sources, including the local option food and beverage tax and Continuum of Care funding from the United States Department of Housing and Urban Development, to assist homeless individuals with transitioning out of homelessness; and

WHEREAS, pursuant to section 2-753 of the Code of Miami-Dade County, the Miami-Dade County Homeless Trust ("Homeless Trust Board") serves "in an advisory capacity to the Board of County Commissioners with respect to all issues affecting or relating to persons who have become or are about to become homeless;" and

WHEREAS, it may be possible to identify additional federal, state, local or private funding sources to create new opportunities for homeless individuals to leave life on the street,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or County Mayor's designee to consult with the Homeless Trust [[~~Board~~]][1] >>Board, the City of Miami and the Miami Downtown Development Authority<< to identify additional placement opportunities for individuals to transition out of homelessness[[;]] >>and to consider the feasibility of implementing a portable bathroom program in the downtown Miami area,<< to prepare and submit a report to this Board within 90 days of the effective date of this resolution and to place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Estephanie Resnik

Camillus
House & Health

A Ministry of the Hospitaller Order of St. John of God

June 30, 2015

To whom it may concern,

Camillus House, since 1960, and Camillus Health since 1984, have served persons who are poor and homeless in Miami-Dade County. Our mission has always been one of compassion bridged with programs and services that help individuals break the cycle of homelessness.

In preparation for today's discussion, I felt it would be appropriate to share the attached stories of individuals served by our Courtyard Program. I believe their stories add an important human dimension to our work in general and to this program specifically.

Whether you agree or disagree with our Courtyard Program's model, I do urge you to consider expanding shelter capacity in Miami-Dade County. The need for additional resources is critical to end chronic homelessness in our community. This same need was recognized in the recent amendment to the *Federal Strategic Plan to Prevent and End Homelessness*, in which the timing of the national goal of ending chronic homelessness was updated from 2015 to 2017.

I strongly believe that together we will solve this problem, and I thank you in advance for your consideration and also for your commitment to helping our neighbors who are most in need.

Sincerely,

Dr. Shed Boren
Chief Executive Officer
Camillus House & Health

1603 NW 7th Avenue, Miami, FL 33136 | Tel 305.374.1065 | camillus.org



"We're so grateful to Camillus for opening their doors to me and my brother. I don't know what we would have done without them."

Tim James and Judy Bradley never imagined they would need the help of Camillus House. But after going through all of their savings to pay for medical bills from a 2013 surgery to remove a tumor in Tim's intestine, the siblings were on the brink of homelessness. The day after Mother's Day, they were admitted into the Camillus House Courtyard Program, and now after a month in the program they're getting ready to move into their own apartment.

Opening the Doors of Hope

In a transient city like Miami, you've likely seen many friends leave only to meet new ones ... who also eventually leave. But that's not the case for Tim James and his sister Judy Bradley, who were born in Key West and have lived their entire lives in the Kendall area of Miami-Dade County.

The siblings grew up enjoying all that South Florida has to offer... great year-round weather to fishing and playing sports. "I remember playing little league ball with Joe Greer," Tim recalls. Dr. Greer was one of the founders of Camillus Health Concern in the mid-80s along with Dr. Robert Sackstien, another of Tim's friends.

He never imagined that years later he and his sister would need the help of Camillus House. But after going through all of their savings to pay for medical bills from a 2013 surgery to remove a tumor in Tim's intestine, the siblings were on the brink of homelessness.

Tim, who is now 59, had a successful sprinkler installation business that he started with his father in 1974. It was hard work that became even harder as he got older and then near impossible after the surgery. Meanwhile, Judy, who is 62 had worked in retail for several years before going on disability seven years ago after her ninth back surgery.

After losing their apartment six weeks ago, they gathered up their belongings and what little money they had left and checked into a room at the Best Western in Kendall. Tim began calling every shelter in town hoping to find a place for him and Judy. But it wasn't until he called his old friend Dr. Robert Sackstien, who was now at Harvard Medical School, that he was able to connect with Camillus House.

The day after Mother's Day, Tim and Judy were admitted into the Camillus House Courtyard Program. "We were the last two people taken in that night," recalls Judy. "I remember meeting Mr. Mims and he picked up right away on how scared we were... But he assured us that everything would be okay."

Fred Mims, who oversees the Courtyard Program, explained to Judy and Tim how they would be provided a safe place to sleep, hot meals, access to showers and lockers as well as on-site medical care. Since the opening of this program almost a year ago, more than 1,400 individuals have come through its doors. While the majority of those engaged with this program are chronically homeless, a growing number are people who have never lived on the street.

"We're so grateful to Camillus for opening their doors to me and my brother," Judy says. "I don't know what we would have done without them."

Tim and Judy are now looking forward to July 1st, which is when they're supposed to move into an apartment at Camillus' Somerville Residence, a permanent housing program for families. After experiencing so much uncertainty over the past several weeks they're excited to have their own place again and the stability that offers.

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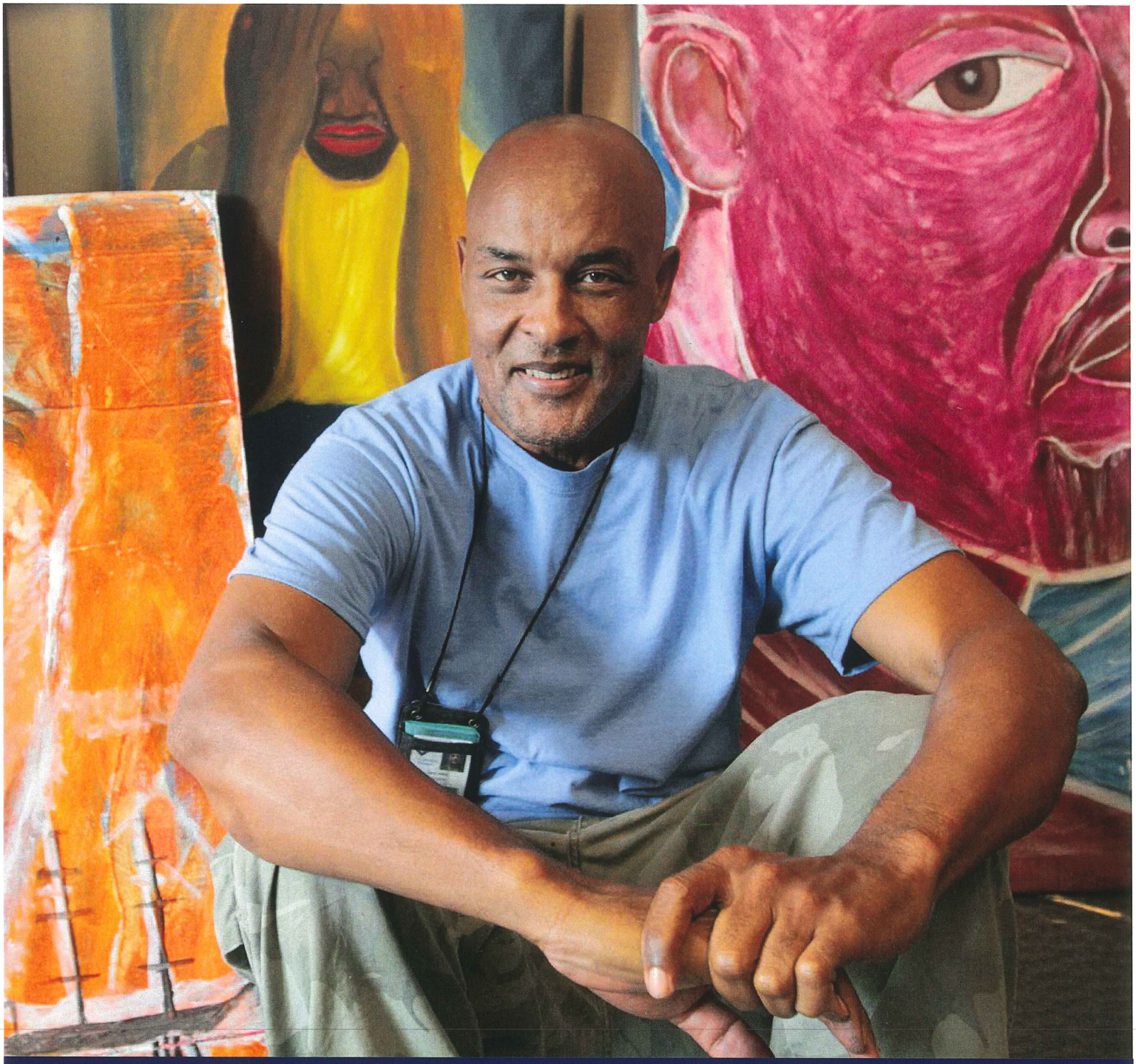

"I had to sleep with one eye open... I was constantly worried about someone hurting me."

Gary Allen is a talented artist whose life was turned upside down after the house he was living in was foreclosed. A short time after, he found himself living under a bridge near the Miami Riverwalk area of downtown. Then in October of 2014, Gary was able to enter Camillus House's Courtyard Program, a "low-demand" outdoor shelter that welcomes homeless guests to sleep on padded mats beneath a large pavilion with roll-down plastic screens to block out rain and outlets for heaters on cold nights.

From Darkness to Light

Born in Nassau, Bahamas, Gary Allen was the first born son of Natalie Greene, a single mother. From a very early age Gary's talent for art was apparent through his distinctive eye for color and unique perspective on life.

When he migrated to the United States in the 1970's at the age of 13, he continued to pursue his dream to become an artist. Gary attended the Art Institute of Fort Lauderdale as well as Miami Dade College. Yet, he mostly learned his craft through self-study.

In January of 2014, Gary was sharing a home with a friend when he learned that the house he was living in was being foreclosed. He had recently lost his job at Price Choice Supermarket, and it was at this point that things began to unravel.

Facing eviction and with no real job prospects on the horizon, Gary's options were quickly evaporating. Within a few months Gary was living under a bridge near the Miami Riverwalk area of downtown. He recalls leaning on his faith during this difficult time in his life. "I had to sleep with one eye open... I was constantly worried about someone hurting me," Gary explains. He would often read the Psalms to find peace.

Gary first began coming to Camillus House's Day Center, a service that provides persons who are homeless with clothing, showers and a hot meal. Then in October of 2014, Gary was able to enter Camillus House's Courtyard Program, a "low-demand" outdoor shelter that welcomes homeless guests to sleep on padded mats beneath a large pavilion with roll-down plastic screens to block out rain and outlets for heaters on cold nights.

While in this program, Gary received the life sustaining services offered at Camillus as well as medical care and case management. Within a couple of months, Gary was able move into Beckham Hall, a Camillus House emergency housing facility located in Allapattah.

Gary has thrived within the Camillus system of care. He's become a member of the Camillus Health Consumer Advisory Board, which advocates for men, women and children who are homeless and helps them to understand the importance of accessing comprehensive health care services. Gary is also leading a new initiative that helps homeless clients of Camillus through an arts and poetry program.

As for the future, Gary hopes to have a place of his own and to continue developing his art. "The theme of my art revolves around the concept of darkness into light," Gary says. "Having a voice through art is a big part of my healing process, and I want to share it with others who may be struggling with similar traumas, experiences and pain."

Camillus
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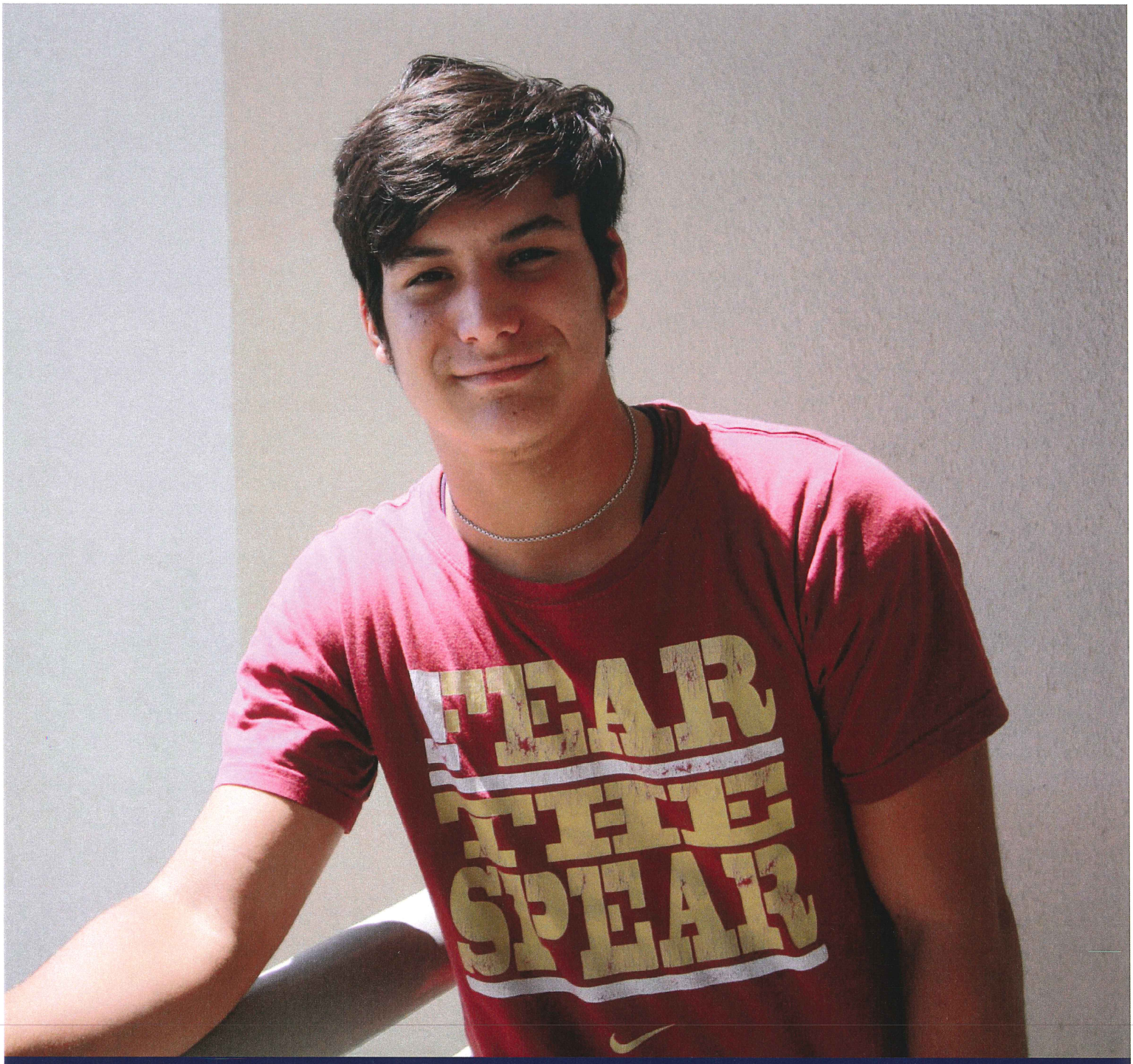

"This is a place where you are helped and taught that you can rely on yourself."

After leaving Cuba five years ago, Jairo Rodriguez has faced many problems in his young life. It started after tensions between Jairo's mom, Elena, and her husband's family in New Jersey strained their relationship and ultimately led to the family separating. Mother and son eventually moved in with friends in Orlando only to have that home foreclosed. Then, hoping to find shelter, they moved to Miami where they were brought to Camillus House. Jairo recently began working to support his mom, who suffers from a medical condition. Camillus House is also working hard to help the family transition into more stable housing.

Jairo's Journey

Jairo Rodriguez's voice is calm, his handshake firm and his views on life are uplifting even though his life has not been easy. Jairo, who is 18, left Cuba for the United States with his mom and dad five years ago in search of the American dream. As a young boy he remembers the beauty of his country, but he also recalls the harsh reality that Cuba is stripped of opportunities, especially for young people.

After arriving in America, the family moved in with his dad's relatives in New Jersey and for a while life was good. Unfortunately, it didn't last. Tensions between Jairo's mom, Elena, and her husband's family strained their relationship and ultimately led to the family separating. Elena and Jairo eventually moved in with friends in Orlando while his dad remained in New Jersey.

Not long after, the difficulties continued when their friends' home was foreclosed, forcing mother and son to move once again. "It was a devastating situation," Jairo explains. "We had no plan or options for the future." To make matters worse, his mom was unable to work because of a medical condition with her legs.

Then a friend from Miami encouraged them to come here in the hope of finding shelter at a local charity. After arriving in Miami, Jairo and Elena met with a police officer who brought them to Camillus House. They were immediately seen by Mary Love, a case manager, who works for the organization's Courtyard Program. "She walked us through the process and explained all of the services," Jairo recalls. Mary explained how they would be provided a safe place to sleep, hot meals, showers and medical care for his mom.

Jairo recently began working the graveyard shift at a market in Allapattah. It's hard work but it's a start, and he's not one to give up. He understands this is a stepping-stone. "Life has its ups and downs, and though we're down now, we'll soon be up," he says. Jairo also hopes to start college soon and one day earn a degree.

For now he's focused on helping his mom. "I'll do whatever I have to for my mom," he explains. "It's difficult to see your mother cry every night, thinking about what she's going to do." The staff at Camillus House are also working hard to help the family transition into more stable housing.

While this young man's experiences have been difficult, he remains grateful to the United States for the opportunities afforded to him. He also understands better than most how you can learn from life's problems. "This is a lesson, from here I will learn," says the wise young Jairo.

Camillus
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"I now have accountability across the board because of Camillus."

Sober for four years, Richard Smith left his hometown of New Orleans prior to Mardi Gras to avoid the possibility of relapsing. After arriving in Miami and with no place to live he remembered Camillus House, where years before he had received treatment . This time he came in as a guest of the charity's Courtyard Program, which offers outdoor shelter, showers, meals, medical care and case management to its participants. Richard is now preparing to move into an emergency housing facility in the coming days and eventually attending Miami Dade College to study hospitality or culinary arts.

Staying the Course

Richard Smith's confident handshake and sense of purpose compliment his southern hospitality and kind manner. Born in New Orleans, the 48 year-old former Navy Yeoman first came to Miami in 2008 after a mandatory evacuation of his home town in preparation for Hurricane Gustav.

After years of living a loose lifestyle in the Big Easy, Richard took this as an opportunity for change. But change didn't happen immediately. It took four years for Richard to hit rock bottom. "I was that guy. I was a drunk. I came here (to Miami) with a black eye, no driver's license and an empty wallet," Richard explains.

Then for the first time in his life, he entered a rehabilitation program at Camillus House. Through this intensive treatment program, Richard was able to work through the hurt and grief he experienced growing up, which led him to years of drinking.

Last year, while in the process of securing permanent housing, he got word that his mother was sick. The oldest of three children, Richard knew he had to carry the weight of this family emergency and go back to New Orleans to be with his mom in her final days. Determined to stay on course with his recovery, Richard decided to return to Miami before Mardi Gras and Jazz Fest came along.

Now sober for four years, Richard recently returned to his Camillus House family as a guest in the charity's Courtyard Program, which offers outdoor shelter, showers, meals, medical care and case management to its participants.

Referring to the Courtyard Program Richard shares, "It's the only program of its kind in the county where you can receive ALL of the essential services you need."

While in the program he helps clients who have yet to or are just beginning their journey of recovery. Observing that he is further along in his recovery than many of the other courtyard participants, Richard has a sense of purpose for being here. He often cuts guests' hair as a gesture of giving back. Just the other day, he cut a man's hair and beard and later found out it had been 20 years since the man had gotten a haircut.

Richard's next goal is to attend Miami Dade College to study hospitality or culinary arts. For now, he is laser focused, as he prepares to move from the courtyard to emergency housing in the coming days. Reflecting on his interaction with other Courtyard Program guests, Richard believes Camillus House gave him his life back. "I now have accountability across the board because of Camillus," he explains. "God is using me in a positive way."

Camillus
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"I was one check from becoming homeless and I became homeless."

After nearly 20 years of caring for her ailing mother, Hattie Bell's life took a turn for the worse when her mom passed away and the apartment she lived in was condemned. Unable to afford a place to live she became homeless. Hattie was taken to Camillus House and admitted into the Courtyard Program. She credits Camillus with giving her the services as well as the mental and emotional support she needed to get back on her feet. Today, Hattie has her own apartment at Camillus' Brownsville Christian Housing Center, a permanent housing program in the Brownsville community.

The Southern Belle

Born and raised in Georgia, fifty-six year old Hattie Bell moved to Florida nearly 20 years ago to care for her ailing mother who suffered from dementia. Despite her own nervous condition, she served as her mother's caregiver until 2008, when at the age of 85, the elder Brown passed away.

Having earned an Associates of Arts in Education from Miami-Dade College in her youth as well as a vocational certificate in business software and administrative assistance, Hattie put together a resume and began looking for work. For a year and half she served as a kitchen aid and her landlord gave her a job as a caretaker in exchange for rent. Her family also helped out with what little money they could.

But things took a turn for the worse when the building Hattie lived in was condemned. Unable to afford a place to live, she became homeless and eventually sought help at nearby shelters. In her own words, "I was one check from becoming homeless and I became homeless." The stress of the experience was too overwhelming, and in January of 2015 she was admitted to Jackson Hospital for psychiatric care. After leaving the hospital Hattie was taken to Camillus House and admitted into its Courtyard Program.

"Camillus has turned my life around," Hattie explains. "I feel like I'm a citizen of society again." She credits Camillus with giving her the services as well as the mental and emotional support she needed to get back on her feet. Hattie has also learned the importance of managing her finances so that she has something to fall back on.

Hattie is looking ahead to her future after recently moving into Camillus' Brownsville Christian Housing Center, a permanent housing program in the Brownsville community. "I always wanted to be a teacher, but never got the opportunity," she explains. "Now I'd like to volunteer my time to teach other women who are experiencing homelessness and help them get through that situation." She believes that sharing her story will help those experiencing similar situations ask for and accept help and ultimately take responsibility for their own future.

Hattie's message is a simple one: "Don't have a pity party. Seek help, get yourself in order. If you have a mental problem, get the help you need. And, get yourself cleaned up so you can present yourself to society."

For now, Hattie is happy to once again have a safe place to call home and she's hopeful to start making a difference.

Camillus
House & Health



"Anyone who wants to succeed here can achieve it."

Martha Ojeda came to Miami from Cuba in search of a better life. Alone and with no understanding of the English language she struggled both financially and emotionally. Hoping to start a family, Martha met someone she thought she could share a future with only to later discover her partner suffered from alcoholism. After some time together, Martha finally gathered her courage and left him along with all her belongings. With nowhere else to turn, she came to Camillus House's Courtyard Program. After a month in the program, she was able to move to a permanent housing program at the Camillus House Campus.

Overcoming Isolation Through Community

Martha Ojeda's life has been marked by difficulties and challenges. As a young woman, she came to the United States from Cuba by herself with no notion of what to do next and no understanding of the English language.

While trying to make a better life for herself in Miami, Martha faced many financial hardships that led to struggles with depression, which were often fueled by her loneliness. To cope with these adversities she turned to drugs earlier in her life. But she overcame those problems. "Thank God I was able to survive...I've been sober now for 11 years," she says.

Hoping for a fresh start, Martha met someone she thought she could build a family with and share a future together. But she quickly realized it wasn't meant to be. Her partner suffered from alcoholism and lived a very destructive life. "I couldn't bear it any longer," she explains. After some time together, Martha finally gathered her courage and left him along with all her belongings.

With nowhere else to turn, she came to Camillus House. Martha first entered Camillus House through its Courtyard Program, which is an outdoor shelter that provides guests with a safe place to sleep, hot meals, access to showers and lockers as well as on-site medical care.

Martha, who is now 62, calls Camillus House home. After a month in the program, she was able to move into permanent housing at the Camillus House Campus. "The biggest help to me at Camillus was moving from the Courtyard into housing," she explains. I've taken a step further in my life...I now have a bed, and a room to live in."

She continues to receive critical services at Camillus such as medical care and counseling to help her move beyond the fears of isolation she's dealt with her entire adult life. For now, Martha is focused on living each day the best she can.

As for the future, Martha would like to have her own place one day, but she admits that's a difficult goal right now. Her limited resources are not enough to allow her to live independently, let alone send money to help her family in Cuba.

Martha talks both positively and practically about her current experiences at Camillus. "Anyone who wants to succeed here can achieve it because you have the option to be helped in every aspect, but patience is needed."

Camillus
House & Health



"I've seen people breathe their last breath on the street. I'm here because I want to live life for me."

After struggling with addiction for periods of his life, Lynnward McClyde found himself homeless but determined to turn his life around. One day while walking along NW 17th street in Overtown he came across police officers talking about Camillus' Courtyard Program. Once in the program he began to see he could do more. Now nearing the completion of his treatment program, Lynnward realizes his success came as a result of taking the advice of his counselors, accepting structure and trusting that they had his best interest in mind.

Finding Purpose Through the Hardships

When you first meet Lynnward McClyde you're struck by his warm smile and genuine demeanor. He's a man who understands where he's been and where he's going. But it wasn't always like that.

A graduate of South Miami Senior High Class of '76, Lynnward readily admits he's made some mistakes in life. He's fought addiction for periods of his life but he always tried to shield his family from those struggles.

"I've had times in my life when I've been homeless, but I had never lived on the street," explains Lynnward. That all changed after two years in prison for dealing in stolen property. After his release, he found the transition far more difficult than he anticipated. Unable to get a job in Tallahassee, he sought better opportunities in Miami.

While in South Florida, Lynnward's struggles with addiction continued. Without a place to live he was able to stay clean for periods of time while he lived on the street. His routine was a familiar one to many persons who find themselves homeless: visits to shelters for showers and other basic services; then over to Mother Teresa's mission for something to eat; the library, in the afternoon, for computer access and then back to his little spot two blocks from Camillus where he would sleep.

One day while walking along NW 17th street in Overtown he came across police officers talking about Camillus' Courtyard Program. He wanted in. Once there he began to see he could do more. He spoke with a friend back home who encouraged him to participate in a program where he would be housed and have structure. Then early one Monday morning he was one of the first people in line to ask for acceptance into a drug treatment program at Camillus House.

Through this journey, Lynnward has realized he has strong discipline and purpose. He has learned about the dangers of a fast lifestyle, especially the prevalence and dangers of HIV and AIDS.

Until this program, his family asked him not to call, visit or text. But since coming to Camillus, Lynnward's family has begun to let him back into their lives, although he warns it is a process. He has learned to take things slowly, to appreciate the little things and to give back.

Now nearing the completion of his treatment program, Lynnward realizes his success came as a result of taking the advice of his counselors, accepting structure and trusting that they had his best interest in mind. He's also getting ready to start a job cleaning the streets of downtown Miami, a work program underwritten by the Miami Downtown Development Authority.

Further down the road, Lynnward plans to get his barber's license and eventually have his own barber shop. Through this experience he has learned who he is and who he can become. He compares Camillus House to a church, a place of reverence that is helping him be who God wants him to be. "God watched over me even in my disobedience," he explains. "There is a purpose for me."

Camillus
House & Health



"Camillus continues to have faith in me as I continue to give my best effort."

After battling addiction for years, Mary Jane Janelle is finally on her way toward living a life of sobriety. A few weeks ago, she transitioned from Camillus' Courtyard Program into the charity's Institute of Social and Personal Adjustment, a residential treatment program specializing in mental health and addiction counseling for persons who are homeless. Sober now for over two months, Mary is hopeful about her future, as she works to complete the program and eventually have her own place.

Working Toward a Life of Sobriety

Mary Jane Janelle was a "free bird" as she describes herself and her youthful years, growing up in a Catholic household with her mom and dad. "I was daddy's little girl!" she says as her smile widens and her eyes brighten recalling her childhood with fondness.

But as a teenager she began experimenting with marijuana and alcohol. Marijuana later led to pills and pills led to other drugs. As she grew older the drug use was heavier, and the partying was harder.

Mary tried to live a stable life by marrying and eventually having a child. But a string of unfortunate events coupled with mental illness and drug addiction deterred her from staying on track. Throughout that process she lost everything.

As the youngest of six children, Mary lived through the death of three of her siblings, as well as the passing of her father and most recently her mother. It was when her mother passed away in 2004 that everything really spiraled out of control. Losing her mother was extremely painful because she spent the last two years of her mother's life caring for her.

In 2011, Mary visited Camillus House's original shelter on NE 1st avenue and 8th street. "I wasn't ready to get clean," Mary remembers her first encounter with Camillus House. Within a few months she received an invitation to stay with her brother near Daytona Beach. Mary lived there for a couple of years, but lost her home because of drug addiction. Not long after, Mary found herself homeless again and at the doors of Camillus House.

Earlier this year, Mary entered Camillus House's Courtyard Program, which offers its guests a mat to sleep on and emergency services such as food, showers, clothing and case management. This time around, she was determined to overcome her addiction. A few weeks after arriving, Mary was admitted into Camillus House's Institute of Social and Personal Adjustment, an intensive treatment program where she is receiving the critical care she needs. She's been sober now for over two months. "Camillus continues to have faith in me, as I continue to give my best effort," Mary says.

Mary's Catholic faith has always been important to her and she is grateful for the opportunity to speak with the Brothers at Camillus as well as Sister Donna about confession and the courage to once again receive Holy Communion. She also joined the Camillus Health Consumer Advisory Board, where she participates in campus events and voices her thoughts and ideas to the Camillus leadership.

These days Mary is grateful for the sense of security she has received at Camillus House. She is hopeful about her future, as she continues to work through her treatment program, attending her support groups and continuing work therapy. Mary hopes to have her own place after she graduates. For now, this free bird has found a home at Camillus House.

Camillus
House & Health

MEASURED RESULTS

* SOURCE: HOMELESS MANAGEMENT INFORMATION SYSTEM

Successful placement / Retention in permanent housing

Return to homelessness



Mats

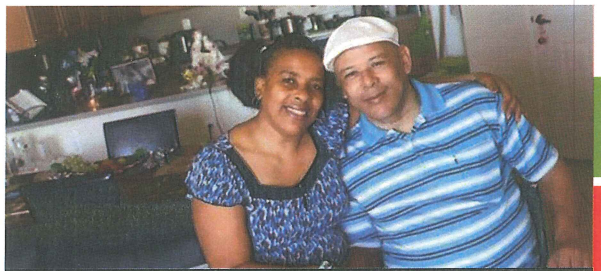
12%

32%



Emergency Housing

45%



Permanent Housing

98%

2%

MIAMI-DADE COUNTY
HOMELESS TRUST

Policy Committee:
Governor of State of Florida
Mr. Rick Scott
Designee: Ms. Patricia Harris

Chair of Miami-Dade Delegation
Representative Eddy Gonzalez
Designee: Rep. Jose Javier Rodriguez

Chair of Governing Board of South Florida Water Management District
Mr. Daniel O'Keefe
Designee: Ms. Sandy Batchelor

Miami-Dade State Attorney
Ms. Katherine Fernandez-Rundle
Designee: Mr. Gary Winston

Mayor of Miami-Dade County
Mayor Carlos Gimenez
Designee: Mr. Frank Balzebre

Mayor of Miami
Mayor Tomas Regalado

City of Miami Commissioner
Commissioner Frank Carollo

Miami-Dade County Commissioner
Commissioner Bruno Barreiro
Designee: Ms. Marlene Avalo

Chair of Miami River Marine Group
Mr. Richard Dubin
Designee: Mr. Orin Black

Chair of Marine Council
Mr. Ed Swakon
Designee: Mr. Phil Everingham

Executive Director of Downtown Development Authority
Ms. Alyce Robertson
Designee: Mr. Javier Betancourt

Chair of Greater Miami Chamber of Commerce
Mr. Barry Johnson
Designee: Ms. Megan Kelly

Neigborhood Representative Appointed by City of Miami Commission
Dr. Ernest Martin

Neigborhood Representative Appointed by Miami-Dade Commission
Ms. Sallye Jude
Designee: Ms. Jane Caporelli

Representative from Environmental or Civic Organization Appointed by the Governor
Mr. Horacio Stuart Aguirre

Member at Large Appointed by the Governor
Mr. Jay Carmichael

Member at Large Appointed by Miami-Dade Commission
Ms. Sara Babun
Designee: Mr. Christian Larach

Member at Large Appointed by City of Miami Commission
Mr. Manny Prieguez

Managing Director
Mr. Brett Bibeau

Miami River Commission



c/o Robert King High
1407 NW 7th Street, Suite D
Miami, Florida 33125
Office: (305) 644-0544
Fax: (305) 642-1136
email: miamiriver@bellsouth.net
www.miamirivercommission.org

June 30, 2015

Re: Recommendation to Approve 11A1 Support the City of Miami Shelter Program at Camillus House for the Chronic Homeless

Dear Board of County Commissioners:

This letter serves as the Miami River Commission's (MRC) official statement required under Board of County Commissioner's Resolution R-156-99, for the June 30, 2015 Agenda Item 11A1, which impacts the Miami River.

On behalf of the Miami River Commission, over 10,000 residents and businesses owners and employees along the Miami River, I thank you for preparing today's needed agenda item. Continuing the City of Miami's successful Shelter Program is critical to implementing the revised Pottinger Settlement Agreement. I would like to thank City of Miami's Homeless Coordinator James Bernat from the Miami Police Department, and the City of Miami's Homeless Assistance Department, for their continued efforts to provide housing, medical and dental care, mental health treatment, 3 meals a day, security, a dog kennel, showers, lockers, a library, television, computers and activities at no cost to the homeless. Everyone wants to continue striving for the same mutually desired outcome, the end of homelessness.

Your time and continued strong support for the Miami River District are appreciated.

Sincerely,

Horacio Stuart Aguirre

Horacio Stuart Aguirre
Chairman,
Miami River Commission

11A1

DNA

RESOLUTION NO. 2 /2015

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DOWNTOWN NEIGHBORS ALLIANCE ("DNA") URGING MIAMI-DADE COUNTY'S SUPPORT OF THE CAMILLUS HOUSE MAT PROGRAM FOR THE CHRONIC HOMELESS, AND REQUESTING THAT MIAMI-DADE COUNTY EXPLORE FUNDING ALTERNATIVES FOR SUSTAINING THIS INNOVATIVE PROGRAM.

WHEREAS, the City of Miami passed Resolution 14-00461 adopted on July 24, 2014 which approved an agreement with Camillus House for the Mat Program; and

WHEREAS, the funding for this program is for one year and expires on July 31, 2015; and

WHEREAS, chronic homelessness has become a prevalent issue in Downtown Miami, but is also a concern for Miami-Dade County as the number of unsheltered homeless individuals has increased per the last Homeless Trust Census results conducted on January 22, 2015; and

WHEREAS, the Mat Program is an innovative solution to engaging this difficult population and introducing them to the Continuum of Care with the ultimate goal of moving them into permanent housing; and

WHEREAS, initial findings indicate that the program has proven successful in providing shelter to the chronic homeless population that would otherwise be on the streets, and that many of those have transitioned into the Continuum of Care.

NOW, THEREFORE, be it resolved by the Board of Directors of DOWNTOWN NEIGHBORS ALLIANCE on behalf of our 40,000 constituent downtown residents:

Section 1. The DOWNTOWN NEIGHBORS ALLIANCE urges Miami-Dade County to support the Camillus House Mat Program for the chronic homeless.

Section 2. The DOWNTOWN NEIGHBORS ALLIANCE requests that Miami-Dade County explore funding alternatives for sustaining this innovative program.

PASSED AND ADOPTED THIS 19 DAY OF JUNE, 2015.

ATTEST: _____
Secretary to the Board of Directors

ACTIVE: D19650/345704:7247133_1

1187

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/20/15 Meeting: RBC Agenda Item #: 11A1

Subject: Homeless

Name: Larry Woods

Address: 50 Biscayne Blvd 5306

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11 A1

Subject: Homeless

Name: GUILLERMO A. DE ARMAS

Address: 1603 NW 7 AVE CAMILLUS HOUSE MIAMI FL 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: PILAR LEGUEN

Address: 1603 NW 7 AVE MIAMI FL 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: CMM Agenda Item #: 11A-1

Subject: 11A1 Homeless Trust

Name: Giovanni [illegible]

Address: 24[illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless Funding

Name: Nitin Motwani

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: Board of County Comm. Agenda Item #: 11 (A)(1)

Subject: Permanent Housing / Mental Health Services for people with mental illness

Name: Amy McClellan

Address: 800 NE 95th St., Miami Shores, FL 33138

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Key Clubhouse of South Florida
Organization / Firm / Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: _____ Agenda Item #: 11 A2

Subject: Shelter Now

Name: Anthony Golston + Dominica Golston

Address: 10 SW South River Dr, 33130

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11-A-1

Subject: IMPLEMENTATION PORTABLE BATHROOMS + MAT PROG

Name: ROBERT GETTNER

Address: 111 E. FLAGLER St. #1007 MIAMI FL 33131

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11 A 1

Subject: Homeless

Name: Marshall Williams

Address: 1603 NW 7th Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: Homeless Agenda Item #: 11 A-1

Subject: Homeless

Name: ADAM Gould

Address: 1112 N. Miami Ave Miami FL 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: E11EVEN Miami

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/25 Meeting: DDA Agenda Item #: 11 A 1

Subject: HOMELESS MAT PROGRAM

Name: ERIC SIMS

Address: CAMILUS HOUSE

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11A1

Subject: 11A1

Name: Ron Book * Wants to be last

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Miami-Dade County Homeless Trust
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 10/30/15 Meeting: 11/30 Agenda Item #: 11A1

Subject: Homeless

Name: Paula Fern

Address: 1900 N Bayshore Dr. 3401 Miami 33132

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization - Firm - Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11 A 1

Subject: HOMELESS MINT / LAUNDRY

Name: TERRELL FRITZ

Address: 111 E FLAGLER ST

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: June 20th Meeting:_____ Agenda Item #: 11A1

Subject: Homeless Trust should help pay for temporary toilets

Name: Thomas Wheeler

Address: 100 NE 11th Ave 33132

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Downtown Arthouse
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Darrell Black

Address: 1603 NW 7th Ave.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6 30 15 Meeting: BBC Agenda Item #: 11A1

Subject: Funding for the Homeless

Name: Sandra Small

Address: 1603 NW 7th Ave Miami FL 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Lynnward Mc Clyde

Address: 1603 NW 7th Ave Miami 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BCC Agenda Item #: 11 A 1

Subject: Homeless

Name: MARK WARREN

Address: Camilus House

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Linda Lefebvre

Address: 1603 NW 7 Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BBC Agenda Item #: 11A1

Subject: Funding for THE MAT PROGRAM / Homeless

Name: MARY JANE JANELLE

Address: 1603 NW 7 AVE Miami FL 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: CAMILLUS HOUSE
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30 Meeting: Commission Agenda Item #: H83 11A1

Subject: Homeless Trust

Name: PAOLA ROMAN

Address: 8150 NW 53rd Street Doral 33166

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Carrfour Supportive Housing
Organization / Firm / Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting:_____ Agenda Item #: 11A1

Subject: Homeless

Name: Dr. EVALINA BESTMAN

Address: 9230 NW 13th St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BBC Agenda Item #: 11A1

Subject: Funding for Mall program Homeless

Name: Leslie Edmond

Address: Miami FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Commissioner Willy Bort

Address: 3500 Pan American Drive

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: 6/20 BCC Agenda Item #: 11A1

Subject: Homeless

Name: Commissioner Marc Sarnoff

Address: 3500 Pan American Drive Miami

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 30 June Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Commissioner ~~[illegible]~~ Francis Suarez

Address: 3500 Pan American Drive

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 4/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Mayor Tomas Regalado

Address: 3500 Pan American Drive

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

11A

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11 A1

Subject: Homeless Issue

Name: Pauline Trotman

Address: 541 NW 47th Terr, Mia FL 33127

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ (No)

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ (No)

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Olga Golik, CitrusHealth

Address: 4175 W 20 Ave Hialeah

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: CitrusHealth
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

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FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: JUN/30/2015 Meeting: BCC Agenda Item #: 11A1

Subject: HOMELESS PEOPLE CAMILLUS AND EVERYWHERE.

Name: BEATRIZ URDANETA

Address: CAMILLUS HOUSE.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: CAMILLUS HOUSE.
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 06/30/15 Meeting: BCC. Agenda Item #: 11A1

Subject: Homeless

Name: VICTOR SANTANA

Address: 1328 SW 13 AVENUE MIAMI, FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: CATHEDRAL SUPPORTIVE HOUSING

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español*

Èske w bezwen yon Entèprèt? ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homelessness

Name: Melissa Gallo / Miami Coalition

Address: 140 West Flagler Suite 105 Miami 33135

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Miami Coalition for the Homeless.
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 12/30/15 Meeting: BCC Agenda Item #: 11A1

Subject: Support of Mat Program

Name: Nora Gralia

Address: 150 West Flagler

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ ✓No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

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FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 5-20-15 Meeting: BCC Agenda Item #: 11 A1

Subject: HOMELESS

Name: Reginald Blocker

Address: [redacted] NW 7 AV

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: REGINALD BLOCKER
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Zoila Perez-Chanquel

Address: [illegible]

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

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FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 10/30/15 Meeting: BCC Agenda Item #: 11A)

Subject: Homelessness

Name: Melissa Dyrna

Address: 3530 Thomas Avenue

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☑ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

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FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11 A 18

Subject: MaT Program Homeless.

Name: Jaime Jose Pino

Address: 1603 NW 7TH Ave.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: CMM Agenda Item #: 11 A-1

Subject: Homeless Trust

Name: Eddie Padilla

Address: 25 SE 2nd Ave #240 Miami 33131

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Downtown Miami Partnership N/A
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11 A 1

Subject: 11 A 1

Name: Victoria Mallette

Address: 111 NW 1 St. 27th Flr.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Miami-Dade County Homeless Trust
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11 A 1

Subject: 11 A 1 - Homeless funding

Name: Manny Sarria

Address: 111 NW 1 St 27th FL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Miami-Dade County Homeless Trust
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: ~~1A1~~ 11A1

Subject: Homeless

Name: Bob Dickenson - Camillus House

Address: 1603 NW 7th Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: DR. Rolando Montoya

Address: 300 NE 2nd Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Christina Crespi

Address: 200 S. Biscayne Blvd.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 10/30 Meeting: BCC Agenda Item #: 11 A 1

Subject: Homeless

Name: Shed Boren

Address: 11603 NW 7th Ave.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11 A1

Subject: Homeless

Name: Ex. Asst James Bernat

Address: 3500 Pan American Drive

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11 A 1

Subject: Homless

Name: BRIAN ALONSO

Address: 200 E FLAGLER ST

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless Funding

Name: Alan Ojeda

Address: _____

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6.30.15 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless Trust mat

Name: Vladimir Dubois

Address: 19 West Flagler

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting:_____ Agenda Item #: 11A1

Subject: Homeless Trust Mot

Name: Wesley Francis

Address: 14 West Flagler St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11 A1

Subject: Homeless

Name: Richard Sargent

Address: 350 NW 4th St Miami

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting:_____ Agenda Item #: _____

Subject: Homeless

Name: Eugene Gordon

Address: Camillus House

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 1/30/2015 Meeting: BCC Agenda Item #: 11A I

Subject: Homeless

Name: Brother Bill Osmarie

Address: 1603 NW 7 Avenue Miami FL 33134

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Camillus

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11 A I

Subject: Country And Program / Homelyst

Name: Fred Mims

Address: 1603 N. W. 7th Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Camillus House, Inc.

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español*

Èske w bezwen yon Entèprèt? ☐ Creole/*Kreyol*

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FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 1L41

Subject: Rebecca Carter Homeless

Name: Rebeca Carter

Address: 1824 Brickell Ave #1D

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: County Commission Agenda Item #: 11A1

Subject: Homeless Task Force Meeting

Name: Lisbeth M. Bustin

Address: 12750 Red Road, Coral Gables, 33132

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Downtown Neighbors Alliance — volunteer not a lobbyist

Organization / ~~Firm~~ / Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ Yes N/A

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Dr. Paula Petry

Address: 900 Biscayne Blvd.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: June 30th 2015 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless Mattress program

Name: Maria Martinez

Address: 50 Biscayne Blvd, # 1806, Miami, FL 33132

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: 50 Biscayne Condominium Association as President
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11-A-1

Subject: HOMELESS MAT PROGRAM

Name: REVEREND PEDRO MARTÍNEZ

Address: 50 BISCAYNE BLVD, MIAMI, FL 33132

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: HOPE IN MIAMI DADE
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-2015 Meeting: BCC Agenda Item #: 11-1-A

Subject: MATA Program

Name: Charles Wright

Address: 1605 NW 7 AVE Miami FLA 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Hope in Miami
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6-30-15 BCC Mtg. Date: 6-30-15 Agenda Item#: 11 A-1

Subject: Homeless

Name: Horacio Stuart Aguirre

Address: 1910 NW 13 Street, M/F

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ❑ Yes ☒ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ❑ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6/29/15 Meeting: Board CC Agenda Item #: 11 (A) - 9J

Subject: Homeless

Name: Debra Webb

Address: 1400 NEW 54th St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: Key Clubhouse

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español*

Èske w bezwen yon Entèprèt? ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 11A1

Subject: Homeless & River Landing Park

Name: Brett Bibeau

Address: 1407 NW 7 ST, STE D

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Miami River Commission

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

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FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting:_____ Agenda Item #: 11 A 1

Subject: Resolution Supporting Homeless Trust Funding Camillus Mats

Name: David Peers

Address: 400 NW 3rd Ct, #503, Miami, FL 33128

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Camillus Consumer Advisory Board
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: June 30, 2015 Meeting: Board of County Commissioners Agenda Item #: 11 A

Subject: Placement options, Housing First for homeless

Name: Robin Cote

Address: 1135 92nd St. Bay Harbor Islands

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: The National Alliance on Mental Illness of Miami (NAMI)

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: COUNTY COMMISSION Agenda Item #: 11 A 1

Subject: HOMELESS

Name: DANIEL VINCENT

Address: 7834 SW 165TH ST PALMETTO BAY FL 33157

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: CHAPMAN PARTNERSHIP
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 06/30/2015 Meeting: Homeless / BCC Agenda Item #: 11a1

Subject: Homeless issue

Name: Huiyi Jackson

Address: 111 E. Flagler St. #601, Miami, FL 33131

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: Miami DDA
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☑ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30 Meeting: BCC Agenda Item #: 11A1

Subject: Homeless

Name: Carlos Padron

Address: 1603 NW 7th Ave.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

INFORMATION Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date:_____ Meeting:_____ Agenda Item #: 11 A 1

Subject: Homelessness

Name: Constance Collins

Address: 1514 NW 2nd Ave #1 Miami FL 33136

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Lotus House ; Executive Director
Organization Firm Client

Have you registered with the Clerk of the Board? ☒ Yes ☐ No

Do you require an interpreter? No

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6-30-15 Meeting: BBC Agenda Item #: 11 A 1

Subject: Funding for the Math program

Name: Clifton Bogart

Address: 1603 NW 7 Ave

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: Math program

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(Non-Public Hearing Propositions)*

#_____

Today's Date: 6-30 Meeting: BCC Agenda Item #: 11 A 1

Subject: HOMELESS

Name: JULIANCHO

Address: 1605 NW 1

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☑ Yes ☐ No

If yes, please list name: CAMILUS

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter? NO

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

Causes of Contemporary Homelessness And Meaningful Solutions To Its End

By Sundari Foundation, Inc. dba Lotus House
June 28, 2015

Introduction

So often our public policy debates, media reporting and community conversation about homelessness has been limited to those most visible, namely chronically homeless individuals suffering from mental illness and living on our streets. In doing so, we are ignoring the largest segment of homeless individuals in our community – our children! This year, there were over 3,646 homeless children identified by the Miami Dade County Public School System and the number is growing. What is it like for a child or youth who is homeless to be sleeping on the floor, in the back seat of a car, on the porch of an abandoned building, in the park, at the bus stop? How can this child possibly concentrate on schoolwork, shoulder the emotional stresses of being homeless, wondering where they will sleep, if there will be food at dinnertime, and still thrive? The answer is simple, they cannot. We are losing a generation of children to homelessness because we lack a truly affordable stock of housing, a safety net of care, and shelter capacity with appropriate supportive services that are adequately resourced to bridge the gap.

We have a moral imperative to bring an end to homelessness in our community. To do so, we need to begin with an understanding of its root causes, namely decades of governmental policies that have defunded:

1) the preservation and development of truly affordable housing for individuals and families living at the edge of or in poverty,

2) the preservation and development of public psychiatric beds and longer term residential care for the small percentage of individuals suffering from severe mental illness who cannot care for themselves, and

3) more recently, even emergency shelter and its services, in favor of programs which bear the label of "housing first" but in many cases actually necessitate shelter first or force individuals and families to remain on the street while solutions are secured.

The failure of public policies at all levels have made poor and working class individuals and families the fastest growing segment of homeless in our community and elsewhere across the country. At the same time, we have suffered the emergence of a visible class of chronically homeless individuals with severe mental illness and other disabilities cycling in and out of hospitals, jails, shelters and streets. Responding to ever changing federal policy dictates, our solutions have tended to focus on more visible chronically homeless individuals to the detriment of the largest segment of homeless in our community and country – namely families with children. These policy failures have

created enormous pressure on shelters nationwide that are under-resourced and tasked, impossibly, with stemming a rising tide of homelessness in the face of eroded public systems and drastic cuts in our social services safety nets.

Miami-Dade is not alone amongst major metropolitan communities across the country in its growing frustration with the outcomes of its efforts to end homelessness. This is a nationwide epidemic. One look at the headlines in New York,[1] Los Angeles,[2] San Francisco, [3] Portland, [4] and Dallas,[5] to name a few, confirms as much. According to the 2014 report to Congress by the U.S. Department of Housing and Urban Development, there were over a half a million homeless individuals captured in the January 2013 point in time count. Half of all homeless individuals identified in their count were in five states: CA (25%), NY (9%), FL (8% or 28,730 people), TX (5%), and GA (3%). [6] In eight states, Florida included, more than half of the homeless population was living in unsheltered locations.[7] Twenty-one states plus D.C. had increases in homelessness among individuals between 2007 and 2014.[8] Perhaps most disturbing is the U.S. Department of Education's data showing that "U.S. public schools are now enrolling a record number of homeless children and youth – over 1.1 million – with the largest populations in California, New York, Texas and Florida."[9] This is because families are often doubled up, in hotels/motels, and other temporary accommodations, in search of affordable housing proximate to employment. Homelessness is a nationwide epidemic of mass proportions, despite decades of earnest efforts on the part of local communities and

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[1] "Homelessness has reached its highest level since the Great Depression," with a shelter population in New York City of over 59,000, including 23,000 children. "The number of homeless people sleeping in municipal shelters has increased almost 70% in the last decade." *Mayor de Blasio's Budget Commits $100 Million to Combat Homeless in New York, New York Times, May 6, 2015.*

[2] "Los Angeles spends more than $100 million a year coping with homelessness," and "homeless people, now 23,000, grew 9% between 2011 and 2013." *Los Angeles Times, April 16, 2015.*

[3] San Francisco spends $165.7 million on homelessness annually, yet the number of homeless people has 'remained largely unchanged." *S.F. Homelessness A Picture of Futility in 2015, SF Gate, by Matier and Ross, March 10, 2015.*

[4] "Ten years ago, Portland said it would end homelessness. Today thousands [est. nearly 4000 men, women and children] still sleep outside every night in the metro area. Surveys show we have as many homeless now as in 2007." *Oregon Live, Our Homeless Crisis, by A. Griffin, January 17, 2015*

[5] "In Dallas, counts over the last 10 years indicate that the general population is going up," with greater numbers of women, children and families. *Dallas Homeless Population Sees a Jump in Kids and Families, But Fewer Chronic Homeless, Dallas Observer, by E. Mathis, September 2, 2014.*

[6] *The 2014 Annual Homeless Assessment Report (AHAR) to Congress, U.S. Department of Housing and Urban Development, October 2014, p.16.* (note, 2015 report not yet issued), based on the January 2013 Point In Time Count.

[7] *2014 Annual Homeless Assessment Report., p.16.*

[8] *Id.*

[9] *Record number of Homeless Children Enrolled in Public Schools, New Data Shows, Washington Post, By V. Strauss, October 24, 2013.*

homeless advocates to stem the tide, including a wide range of plans to end homelessness and the establishment of continua of care in many cities.

To its credit, Miami Dade County was at the forefront over twenty years ago nationally in establishing the Homeless Trust, with a dedicated stream of revenues devoted to ending homelessness. It is clear that ending homelessness has always been a priority in this community. It is also clear that enormous progress toward ending homelessness has been made in the past two decades, thanks to the efforts of the Homeless Trust, including for example the construction and opening of the Chapman shelter facilities now twenty years ago, the development of a broader continuum of care providers providing shelter and support services, together with a stock of supportive permanent housing units. Despite our efforts and like every other major city in this country, we are still faced with unacceptable and growing levels of individuals and families experiencing homelessness. And just like those of other major cities, our shelters are at capacity and overflowing, and new and existing affordable housing units have been unable to keep pace with demand for many years now. In the meantime, the needs of individuals and families experiencing homelessness have become more complex, layered with the trauma of extended periods of homelessness, and a sense of hopelessness.

The Homeless Trust and continuum of care in our community is designed to serve as a bridge for individuals and families experiencing homelessness. It can and should be working in concert with, but is not a replacement for, other public systems such as affordable housing, health care, mental health care, education, employment, and the protection of children. To be truly effective, it must be supported by a broad safety net of community services. The homeless continuum of care provides individuals and families with shelter, an opportunity to secure income, and linkages to the safety net of community support services needed to transition and successfully remain in permanent housing. In the absence of a ready supply of truly affordable housing or long term residential care options where needed, timely and successful exit from the shelter system becomes substantially delayed or impossible. For some, the lack of psychiatric residential treatment and long-term care sentences its victims to a life time of homelessness and suffering on our streets. Unable to solve broad systemic deficiencies in housing and mental health care, as well as cuts in the safety net of social services, the shelter system is overflowing, desperately in need of additional capacity, and resource starved.

Our public policy conversation needs to move beyond blame, stereotypes and finger pointing to examining the systemic causes of homelessness and how various "systems," both private and public, relate to each other and contribute to homelessness. With our informed, collective effort, we can reduce and potentially eliminate homelessness. It is an issue that is not going away and will only increase in magnitude as our community grows. Given that the largest segment of homeless individuals in our community are children, homelessness is not only at the epicenter of enormous suffering but the moral imperative of our time. We can no longer afford "band aids." Concerted action and system change is needed to bring an end to homelessness. Our community can and must dedicate the resources needed to secure the future of our children and their children, creating the foundation for our collective future and a thriving community for everyone.

Root Causes of Homelessness – Shifts in Federal and State Policies

If we understand why we and other cities across the country have been unable, despite the best of intentions, progress made and resources dedicated thus far, to bring an end to homelessness, we have the opportunity for informed and reasoned policymaking that will truly make a difference. We must begin with an understanding of the systemic causes of contemporary homelessness affecting a broad swath of our country, which began in the 1980's with a precipitous reduction in federal funding for affordable housing and the safety net for those living in and at the edge of poverty.

Decreased Federal Commitment to Affordable Housing

Over the course of three decades beginning in the late 1970's and early 1980's, federal funding for developing and preserving affordable housing nationwide via the U. S. Housing and Urban Development Agency declined precipitously from $83 billion in 1978 to only $18 billion in 1983.[10] In 1983, general public emergency shelters began opening in cities nationwide,[11] as communities struggled to respond to the human crisis of homelessness that ensued. The 2006 report of the Western Regional Advocacy Project, a non-profit alliance of homeless organizations that researches and studies the impact of federal housing policies on homelessness, documents persuasively the correlation between the decline in federal funding for affordable housing and the rise in homelessness across our country, citing a plethora of evidence supporting their conclusion that:

> *one of the most important – if not the most important – factors in explaining why so many people are homeless in the United States today: the cutbacks to and eventual near elimination of the federal government's commitment to building, maintaining, and subsidizing affordable housing....*
>
> While decades of homeless policy responses have focused upon individual – rather than systemic – factors to explain and address homelessness, the fact that millions of families, single adults, and youth with different biographical backgrounds came to simultaneously experience homelessness in 1983 – and that millions continue to suffer on our streets today – requires a reexamination of historical and social structural forces.
>
> - From 1976-1982, HUD built over 755,000 new public housing units, but since 1983 [to 2006], HUD built only 256,000 new public housing units.
> - From 1976-1985, a yearly average of almost 31,000 new Section 515 rural affordable housing units were built, but from 1986-1995,

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[10] *Without Housing: Decades of Federal Housing Cutbacks, Massive Homelessness and Policy Failures, By Western Region Advocacy Project, 2006, pp. i-ii, i-iv, I-4*

[11] *Id.*

average yearly production was less than half that of the previous decade.

- From 1996-2005, Section 515 built an average of only 1700 new units per year.
- In recent years, over 200,000 private-sector rental units have been lost annually, and 1.2 million unsubsidized affordable housing units disappeared from 1993-2003.
- HUD budget authority in 1978 was 65% more than its 2006 budget of $29 billion....

> The de-funding of federal affordable housing programs, coupled with the loss of public housing units as well as private-sector affordable housing, should be central to any discussion of the causes of homelessness, yet they have been all but ignored in the debates about and policy responses to the current ongoing crisis. *No matter what other factors may come into play in any individual's experience of homelessness – without housing, that person will remain homeless.*[12]

Of course there are other structural causes for increased homelessness such as outsourcing of jobs overseas, urban gentrification, the slow growth in minimum wages, and in some cases drastic cuts in the social safety net, but in their 2010 Update to the Without Housing report with additional data in hand, the Western Regional Advocacy Projects cogently concluded:

> even with all these contributing factors, if the federal government had continued to build appropriate quantities of affordable housing and ensured that the supply of affordable housing was sufficient to meet the demand, then we would not have seen massive increases in homelessness over the past 30 years.[13]

For the care providers to individuals and families who are homeless in our community, like Lotus House, it comes as no surprise that we have been unable to end homelessness in our community because we lack an adequate supply of truly affordable housing. Every day, we assist those we shelter in their struggle to secure the income in place needed to exit to housing that is truly affordable. For our disabled individuals receiving SSI or our elders receiving Social Security, monthly incomes normally range from $300 to $720, and for working individuals we serve income typically ranges from $500 to $1200. With this sum, individuals and families are challenged to pay rent, utilities, transportation, cover health care and medications, daycare and food, in addition to other regular living expenses. Virtually everyone served by the shelter system is well below the poverty line. Truly affordable rents cannot exceed 1/3rd of the monthly income of an individual or family to assure their long-term stability. Finding such housing is a daunting task and can take many months, if it is even available, resulting in long wait times for individuals and families within shelters and overcrowding and bottlenecks within the system. Likewise, the wait times to enter our shelter system force individuals

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[12] [Footnotes omitted, emphasis added.]*Id.*

[13] *2010 Update, Without Housing: Decades of Federal Housing Cutbacks, Massive Homelessness and Policy Failures, by Western Regional Advocacy Project, p.13.*

and families to survive in temporary places unfit for occupancy, doubled up, and the streets, with resultant trauma, violence, family disintegration and failure to thrive.

Shifting Federal and State Policies Close Public Psychiatric Facilities

The devastating impact of diminished federal funding for affordable housing was compounded by reductions in and jockeying between federal and state sources for funding of public psychiatric hospitals, resulting in many closures and the "decimation of public psychiatric beds available for the treatment of acutely or chronically ill psychiatric patients in the United States." [14] According to Research From The Treatment Advocacy Center:

> Although they constitute a small subset of all persons diagnosed with mental illness, the most severely ill patients are in dire need of the specialized, intensive treatment that has been delivered since the early 1830s through state hospital systems. The elimination of these systems is producing significant public and personal consequences in communities nationwide.[15]

According to Research From The Treatment Advocacy Center, a national non-profit dedicated to eliminating barriers to timely and effective treatment of mental illness, there were 558,922 state hospital beds across the country in 1955; as of 2010, the number of psychiatric beds had dropped precipitously to only 43,318 beds.[16] The continuous emptying of public psychiatric hospitals for decades have left hundreds of thousands of individuals who suffer from acute and severe mental illness without homes and adequate access to mental health services, treatment, medications and supportive services. Here are just a few of the resultant trends identified by Research From The Treatment Advocacy Center based on data from the National Association of State Mental Health Program Directors from 2005 to 2010 alone:

- Nationwide, closures reduced the number of beds available in the combined 50 states to 28% of the number considered necessary for minimally adequate inpatient psychiatric services. **A minimum of 50 beds per 100,000 population, nearly three times the current bed population, is a consensus target for providing minimally adequate treatment.**

- In the absence of needed treatment and care, individuals in acute or chronic disabling psychiatric crisis increasingly gravitate to hospital emergency departments, jails and prisons. These systems experience significant negative impacts as a result.
    * Hospital emergency departments are so overcrowded that some acutely ill patients wait days or even weeks for a psychiatric bed to open so they

---

[14] *No Room At The Inn, Trends and Consequences of Closing Public Psychiatric Hospitals, by Research From The Treatment Advocacy Center, July 19, 2012, p.5.*
[15] *Id., p. 5.*
[16] *Id., pp. 7, 9.*

can be admitted; some eventually are released to the streets without treatment.
* Law enforcement agencies find service calls, transportation and hospital security for people in acute psychiatric crisis creating significant, growing demands on their officers and straining public safety resources.
* Jails and prisons are increasingly populated by individuals with untreated mental illness with some facilities reporting that one-third or more of their inmates are severely mentally ill.

• The number of persons with mental illness who are homeless increased. In some communities, officials have reported as many as two-thirds of their homeless population is mentally ill.

[emphasis added][17]

According to their research, as of 2010, Florida had 3,321 public psychiatric beds, representing 17.7 beds per 100,000 population (only 1/3rd of the recommended amount), compared to the minimum 50 beds recommended by The Treatment Advocacy Center.[18] With community mental health centers ill equipped to support this "de-institutionalization," mentally ill individuals formerly housed and cared were forced to fend for themselves. As local communities struggled to find the resources to bridge the gap in needed psychiatric beds and support services, the impact was felt across all public systems, but no where more acutely than on the streets. Local communities often lacked both expertise and resources to replace the swiftly evaporating federal and state psychiatric beds with safety nets of their own, including psychiatric beds, long-term supportive permanent housing and program services for the care and treatment of individuals suffering from severe mental illness. Some communities turned to misguided attempts to criminalize life sustaining activities and other perceived extraordinary behavior of those suffering from mental illness, only to face a burgeoning, costly and ineffective substitute in jails and prisons, exacerbating the long road to care and stabilization. Hospital crisis rooms overflowed. Homeless shelters across the country were asked to fill the enormous gap created by the loss of this safety net, that could only be plugged temporarily – not solved – pending the establishment of long term solutions created by new public psychiatric beds and long term residential care.

In short, the disappearance of a safety net for those suffering from mental illness in shifting federal and state policies have generated a class of "chronically homeless" individuals forced to cycle between hospitals, jails, shelters and the streets, unable to access appropriate treatment or navigate the barriers to supportive care and housing on their own. Some of those suffering from mental illness turned to drugs or alcohol as a form of "self medication" for mental illness, resulting in addiction and substance abuse that only compounds the challenges to treatment and establishing safe, secures homes. The cost to communities in public services and systems, like homeless shelters, law enforcement, hospitals and jails/prisons, has been exceeded only by the concomitant human suffering of those living and dying on the streets, cycling endlessly through these

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[17] *Id., p. 6.*
[18] *Id., pp. 6, 8, and Table 1.*

systems, a heart wrenching product of our country's failure to recognize the severity of mental health issues and the need for a continuum of care in treatment.

In Miami Dade County, the class of chronically homeless individuals with severe mental illness is visible and growing because of lack of appropriate treatment options in our community. Further, consider the fact that we have no public psychiatric treatment beds situated in Miami Dade County for children and youth suffering from severe illness, the long-term consequences of which are immeasurable. Beds for adults have long wait times and are rarely accessed outside the criminal justice system. Shelters serving the high special needs individuals, like Lotus House, have been forced into the role of de facto mental health facilities because of the lack of public psychiatric beds and residential care for these individuals. The cost to us as a community, both in human suffering and systems expenditures, in our failure to provide appropriate psychiatric treatment options is beyond measure.

Inadequate Federal and State Responses to Homelessness

At least four things followed the reduction in spending on affordable housing for the poor and the closure of public psychiatric facilities, namely 1) a failure to understand or acknowledge the direct correlation between mass homelessness and reduced spending for affordable housing and public psychiatric facilities; 2) a delayed realization that individuals suffering from untreated mental illness have complex, multifaceted issues, layered with trauma from prolonged stays on the street, that will necessitate more than housing to address their homelessness – or they will become and remain chronically homeless; 3) ***a shift to local governments for "solutions" to homelessness and the resources to implement them***; and 4) a focus driven by the federal government primarily on the most visible homeless individuals first, chronically homeless individuals perceived to be a threat due to substance abuse, mental illness, or other disabilities, with little thought to the droves of working class and poor families becoming homeless because they were unable to find adequate affordable housing in their communities.

As the federal government focused its efforts on the "chronically homeless," policy makers ignored the fact that ***the fastest growing numbers of homeless were children and families.*** According to the 2014 Annual Homeless Assessment Report to Congress, October 2014 (2015 report not yet issued), over a half a million people nationwide are homeless, of which 37% were in families.[19] The U.S. Department of Education estimated the number of homeless children nationwide rose from 680,000 in 2006 to 1.25 million in 2013.[20] In its 2010 Update Without Housing, the Western Region Advocacy Project observed:

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[19] *The 2014 Annual Homeless Assessment Report (AHAR) to Congress, by U.S. Department of Housing and Urban Development, October 2014, p.1*, counting 578,424 individuals, 31 percent of which were in unsheltered locations, 23 percent or 135,701 where children under the age of 18, 58,601 or 10% were between the ages of 18-24 and 216,261 were homeless people in families. Homelessness in major cities increased from 2013 to 2014 by 1%, p.12.

[20] *Oregon Live, Our Homeless Crisis, January 17, 2015.*

> The devastation that comes from our collective failure to address the systemic causes of mass homelessness is perhaps nowhere more stark than in the reality of children experiencing homelessness. Families with children are the fastest growing group of homeless people in the country. Children and youth who lack a fixed and adequate nighttime residence have difficulties with school enrollment, attendance and success. The most recent federal data shows that at least 930,000 homeless children were enrolled in public schools during the 2008-2009 school year — a 38 percent increase over 2 years.[21]

The federal response to the explosion in numbers of individuals and families experiencing homelessness across the country was slow and anemic. In 1987, Congress adopted the McKinney Act to provide beleaguered local communities with a paltry $880 million in homeless assistance funding (2004 constant dollars), compared to the $83 billion authorized in 1978 for affordable housing. From 1987 [through 2004], annual McKinney homeless assistance was never more than $1.4 billion."[22]

Communities, like Miami, were forced to shoulder the full brunt of the epidemic of homelessness of individuals and families and to compete with other communities across the country for meager federal dollars. Responding to federal policies and mandates and the magnitude of the human suffering in our community, Miami Dade was on the forefront of establishing a broad continuum of care to provide shelter and services to homeless individuals and families, recognizing solutions on an individual level needed to take into account the special needs of those being served. The Trust was established just over twenty years ago with a dedicated stream of revenues from the one-penny food and beverage tax, to which Miami and other cities (but not all) contribute. Those funds allowed for the new construction and operation of the Chapman facilities and the Trust is able to fund 65% of the annual operating budgets for the Chapman facilities. Over ten million dollars, plus reserves for capital improvements, are required by the Chapman facilities on an annual basis.

The food and beverage funding is also utilized to support other emergency shelters and services though on a much more limited basis, forcing those non-profit providers to raise substantial additional funds privately or from other government sources in order to shelter, feed and adequately provide for individuals and families who are homeless. By way of example, Lotus House was established ten years ago to address a gap in the continuum of care for high special needs homeless women, youth and children – purely from private donations. All of the operating funding to acquire and open the shelter had to be raised privately as well in the beginning; over time, Lotus House has received more operating funding from the Homeless Trust, but it must still raise nearly 50% of its annual operating funding from other sources at this point (and as much as 70% to 95% in prior years).

The amount of funding the Trust receives from the federal government to support emergency shelter and support services has been dwindling because the U.S.

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[21] *2010 Update Without Housing: Decades of Federal Housing Cutbacks, Massive Homelessness and Policy Failures, by Western Regional Advocacy Project, p. 9.*
[22] *Without Housing, 2006, p. i.*

Department of Housing and Urban Development is now shifting away from providing support for emergency and transitional shelter to a "Housing First" model geared, once again, toward those who are deemed "chronically homeless." This often leaves the fastest growing number of homeless in our country – children and families, our working poor, – out in the cold, and threatens to further strain an already resource starved continuum of care providers.[23] Needless to say, adequate resources to fund this Housing First program shift demanded by the federal government have not been forthcoming. Once again, local communities are expected to make up the gap.

This excerpt from the *2010 Update* to *Without Housing* report focuses on the recent federal policy shifts:

> The current policy priority of the federal government in addressing homelessness continues the model of supportive housing with a focus on "chronically" homeless individuals: Housing First....
>
> **The federal government decision to fund Housing First out of a limited pool of HUD homeless assistance dollars rather than with a sustained increase in HUD housing dollars means that the program only meets a small fraction of the need. This decision has also led many local communities to change their homeless programs and reduce vital emergency services to families and unaccompanied youth in order to comply with HUD priorities.** Furthermore, communities that cannot afford to build new housing at any reasonable scale with the limited dollars available are leasing hotel or apartment units from for-profit landlords, a short-term use of scant resources that does nothing to address the overall lack of permanent affordable housing.
>
> When "supportive housing" is the only type of housing being discussed as a solution to mass homelessness, it reinforces the stereotype that "regular" affordable housing is not what the majority of people experiencing homelessness are lacking, but that they need "supportive" housing because they are dysfunctional....The approximately 95,000 supportive housing units created since the late-1980s pale in comparison to the hundreds of thousands of Section 8 and public housing units lost over the same period. **Almost three decades after the widespread emergence of homelessness in the 1980s, the number of people without housing in the United States continues to grow. Homeless people have become a common feature of everyday life. Until federal production and subsidization of affordable housing is adequately funded, the latest policy fads for addressing mass homelessness will continue to fall far short and the human suffering and loss of life that result from these failures will persist.** [24]

Even as the federal government promotes Housing First as its current solution to ending chronic homelessness, questions are emerging in urban centers, like New York where Housing First initiatives has been in place for a number of years, as to its efficacy in

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[23] *Without Housing, 2006, p.14.*

[24] *Emphasis Added, 2010 Update Without Housing, pp.17-20.*

actually reducing homelessness.[25] Some studies show it is more effective when combined with shelter or other facilities first, allowing for stabilization of individuals and families, procurement of benefits and linkages under an appropriate safety plan, and more suitable housing placement.[26] Others argue that Housing First is diverting our attention and resources from the primary contributing factor to homelessness, namely the lack of an adequate stock of affordable housing.[27] As a practical matter, despite the label of "Housing First," experience tells us that *the implementation of this program on the ground actually necessitates shelter first* or individuals and families awaiting satisfaction of prerequisites and processing of paperwork are forced to remain on the streets. Like other solutions, it is not a one size fits all and many do not qualify for this temporary support or will be unable to sustain their housing after the temporary subsidy ends. Equally important, this latest shift in policy is accompanied by federal pressure to divert resources from emergency shelter, transitional housing and support services.

In *Without Housing*, the Western Region Advocacy Project points out that federal government agencies and dictates have generated an:

> endless merry-go-round of policy responses and targeted homeless sub-populations, focusing small amounts of homeless assistance funding on ever-changing priorities, based on ever-changing assumptions. The basic premise of all these priorities and policy flavors – that homelessness is caused by the deficiencies of broken individuals – has distracted us from addressing its root cause: the drastic reduction and near elimination of federal funding for affordable housing."[28]

As long as our analysis of the root causes of homelessness and policy responses focus solely upon the "broken" individual – rather than systemic – factors to explain and address homelessness nationally as well as locally, the number of individuals and families experiencing homelessness in our community will continue to rise.

> Public policy debates and media representations rarely address the systemic causes of mass homelessness; instead, they often continue to portray the problems of homeless individuals and families as caused by their dysfunction, mental illness, substance abuse or general deficiency. Most ignore the reality of families that are doubled-up or living in motels or hotels, unaccompanied youth,

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[25] *Rapidly Rehousing Homeless Families: New York – A Case Study, by Institute for Children, Poverty & Homelessness, pp 1-2, positing that rapid rehousing may have unintended consequences.*

[26] *Applicability of Housing First Models to Homeless Persons with Serious Mental Illness, by U.S. Department of Housing and Urban Development, Office of Policy Development and Research, July 2007, p. 13, 53.61-71. "Clients who entered Housing First Program from the streets were most likely to leave the program within 12 months (n=9, 69 percent) and were also more likely to experience temporary program departures (n=12, 36%). The clients with the highest level of housing stability were those who entered the program from shelters, jail or psychiatric hospital....", p. 71*

[27] *Without Housing, 2006, pp. 9-10.*

[28] *Without Housing, p. ii.*

> working poor people who cannot afford a place for the whole month and seniors who lost their housing due to gentrification. Just like everyone else, many homeless people do experience significant personal challenges. It is, of course, the interaction of these challenges with insufficient health care, education, employment and, particularly, housing that triggers – and perpetuates – homelessness. **Rather than recognizing these realities, the negative stereotyping of homeless individuals with labels such as "chronic" have fed the tendency to respond to mass homelessness with inadequate policies that fail to address systemic causes — most significantly, the obligation of the federal and our local governments to invest in public and other truly affordable housing.**

Emphasis added.[29]

In the absence of adequate funding and construction of affordable housing and a mental health system of care, it is not surprising that we have failed to resolve homelessness in Miami Dade County. The consequence is that homelessness has risen to epidemic proportions in our local community, making Miami a national spotlight for all the wrong reasons. In the absence of federal solutions, we must identify and provide local solutions for individuals and families living on the street, in hotels/motels, doubled up, and in unsafe conditions. The consequences for all of us in failing to do so are untold human suffering, at the expense of our children and future generations.

Homelessness in Our Community Today

The Homeless Trust coordinates a point in time count of individuals and families who are homeless twice each year, in January and July. The limitations of street counts are obvious – they only capture a segment of our homeless population, namely those most readily identifiable on the streets or already in the system of shelters and transitional and supportive housing. At the January 2015 point in time count conducted by the Trust, Miami Dade County had over 1,737 shelter and safe haven beds (w/ additional 156 shelter placements in hotel/motel beds) and the capacity for another 1,408 individuals in transitional housing, totaling 3,145 homeless individuals sheltered.[30] At the same time, 24% of our total count or over 1,007 homeless individuals were unsheltered, markedly less than the 2013 HUD estimate of 55% unsheltered homeless across the state of Florida.

From years of experience serving women and youth at Lotus House, we know that those who are most vulnerable to street violence survive by being invisible – because to be in the open is to be a potential target – and so street counts are of limited value in capturing their true numbers. With 36% of individuals in the latest street count identified as women and 6-7% unknown, it is likely that as many as 40% or more of those living on the street are women at this point, and the official count, by necessity, will always underrepresent the true numbers of homeless in our community.[31]

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[29] *Id. p.7.*

[30] *Homeless Census, by Miami Dade County Homeless Trust, January 22, 2015.*

The January count for *unsheltered* individuals was *up from the prior year by almost 30%*. This could be a weather related blip or an indicator of more effective counting or a signal of a growing trend in numbers of unsheltered homeless individuals consistent with the overall growth in Miami Dade County. Likely, it is all of the above, but regardless it is only part of the story. The monthly calls to the homeless help line totaled 4,354 for the month of March 2015 and offer some additional clues, with 1,359 callers indicating that they were facing court evictions or imminent risk of homelessness and 227 seeking affordable public housing/rental assistance. [32]

And still this is only part of the story because according to the latest information provided by Student Services, Division of Academic Support of Miami Dade County Public Schools, the following is the breakdown for homeless children[33] at last count:

871	Shelter (these children also by and large being captured in the Trust point in time count)
2387	Doubled-up
151	Cars and parks, etc.
237	Hotels
3,646	Total Children

With over 3,646 school children experiencing homelessness in Miami Dade County schools right* now, this makes *our children the largest segment of homeless in our community. Not to mention the parents who accompany them and

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[31] In prior years, this fact was recognized by the application of a multiplier which recognized that street counts inherently undercount our homeless; this multiplier was eliminated in January 2005. *Homeless Census Results, Summary Life To Date Census, by Miami Dade County, January 2015*

[32] *Memorandum by V. Mallette to Miami Dade County Homeless Trust Board Members, May 22, 2015*

[33] The homeless "definition contained in the education subtitle of the McKinney-Vento Homeless Assistance Act includes children in motels and those who share housing temporarily because of loss of housing, economic hardship, or similar reasons. Many families living in doubled-up situations often move repeatedly, sometimes on a daily or weekly basis. These living situations are often overcrowded, unstable, and sometimes unsafe for children. The Violence Against Women Act (January 2006); Head Start Act (December 2007); Child Nutrition Act (2004); Higher Education Act (August 2008); and Individuals with Disabilities Education Act (December 2004) also use the "McKinney-Vento" definition of homelessness and are therefore more responsive to the special needs of homeless children." *American's Youngest Outcasts, Appendix 1, by the National Center on Family Homelessness, pp. 165-166.*

are struggling to keep their families in tact as they seek employment and affordable housing.

In this count were 253 identified unaccompanied homeless youth – and growing. Like other vulnerable populations such as homeless women, youth survive by being invisible and are fearful of gender neutral or traditional shelters, making their count difficult in typical street surveys. Their futures are at grave risk.

Our shelters are inadequately resourced, at capacity and overflowing. New and existing truly affordable housing units have been unable to keep pace with demand for many years now. The needs of individuals and families experiencing homelessness have become more complex, layered with the trauma of extended periods of homelessness, and a sense of hopelessness. Children entering the shelter system are often in need of therapy and intensive support services, yet so often they are invisible victims as parents struggle to feed and care for them, find affordable housing, day care, transportation assistance, and more to preserve their fragile, beleaguered families in tact in times of crisis.

We must find solutions because child who are homeless, sleeping on the floor, in the back seat of a car, on the porch of an abandoned building, in the park, at the bus stop, cannot thrive. They cannot possibly concentrate on schoolwork, shoulder the emotional stress and worry of being homeless, and build the foundation for a safe, secure future. We must dedicate the resources needed for meaningful solutions, or we will lose a generation of children to homelessness.

If the question in the past was how can we afford a tax increase (of one or two cents or more) to address the issues of homelessness in our community, perhaps it is time to ask instead, how can we not afford to do so? When we look at the issues of homelessness in our community our lens cannot and should not be narrowed solely on the chronically homeless individuals who are captured in our street count, or visible to our downtown businesses, we must see the children and families who feel the cold edge of homelessness at their backs. We have a moral imperative to answer this question with a clear and affirmative yes, we care and will find the resources needed to bring an end to homelessness in our community, for the sake of our children and their future.

The Homeless Trust Is Designed to Bridge Public Systems, Not Replace Them

The Trust should be applauded for its accomplishments; there are many over the past twenty plus years of dedicated work. But we cannot ask the Trust to bring an end to homelessness with the limited resources of a one-cent food and beverage tax in the context of broad, systemic root causes beyond its control. After decades of attempts to stem the growing tide of individuals and families unable to find affordable housing, needed public psychiatric beds, and an adequate safety net of support services, the Trust and our shelters are beyond their capacity, overflowing and inadequately resourced. New and existing affordable housing units with support services have been unable to keep pace with demand for many years now. The needs of individuals and families experiencing homelessness have become more complex, layered with the

trauma of extended periods of homelessness, and a sense of hopelessness. A generation of children is at risk of continued cycling in and out of the homeless system. Our community, like many others, is faced with the consequences of a prolonged lapse in federal and state policies - one which must be shouldered to ensure those with the least are not left to suffer and die on our streets and that our children and families living in poverty are not facing the prospect of a homeless future.

We know from experience that ending homelessness it is not a one size fits all on an individual level. The special needs and exigencies of each individual and family must be considered for solutions to be meaningful and effective, in accordance with evidence-informed, best practices. Our continuum of care led by the Trust is designed to do just that, needs assessment, emergency and transitional shelter, appropriate supportive services and community linkages, permanent supportive housing placements and exit safety plans.

However, the Trust was not designed to be a substitute for our local community's development of a stock of adequate affordable housing for the large and growing numbers of working poor, many of whom do not qualify for "supportive housing." The vast majority of individuals and families who are homeless simply need truly affordable housing and access to other public services like affordable transportation, day care, preventive health care and the like. Equally important, the Trust is not designed to provide a comprehensive system of mental health care or public psychiatric beds (for both adults and children) desperately needed by those with severe and persistent mental illness.

The Trust resources are geared toward ending homelessness, as a systems bridge, but it cannot and does not function in a vacuum, where the systems it is designed to link are non-existent or inadequate to meet our growing community demands. The absence of an adequate supply of affordable housing and psychiatric beds, funded or spurred by federal, state or local government initiatives, has left the Trust and the continuum of care with an impossible challenge – to shelter an ever growing number of individuals and families experiencing homelessness because they cannot find truly affordable housing options in our community in places that are proximate to their work and appropriate mental health treatment beds for those with severe mental illness. The consequence is a continuum of care that is overflowing and resource-starved. The addition of shelter beds with appropriate support services to meet the growing numbers of homeless and bottlenecked outplacement to permanent affordable housing requires a substantial influx of additional capital beyond the one penny tax currently in place. It requires an investment of both private and public dollars to try and bridge the gap. And it requires the amplification of systems for truly affordable housing and mental health treatment and residential care for those with severe mental illness.

Solutions to End Homelessness

The good news is, when we understand the root causes of the epidemic of homelessness in our country and build on the knowledge and tools already at our disposal, we have an opportunity to engage in constructive dialogue and carefully craft meaningful solutions to its end. The numbers of individuals and families experiencing homelessness in our community will only increase with time, just as Miami Dade overall population is growing. This issue is not going away and needs our collective, immediate attention on several fronts. To that end, we must:

Increase the Stock of Truly Affordable Housing and Dedicate Additional Resources to the End

- We can and must encourage the development of an adequate stock of "truly affordable" housing, via a range of government-sponsored projects, public-private partnerships, NGOs and private developers with new bond financing, dedication of county and municipally owned land and buildings, tax incentives, expedited approvals and permitting, supportive services funding, operating funding and more.

- Truly affordable must be defined to cap rentals at 1/3 of the income of an individual or family, with priority in placement given to those with special needs (e.g., disabilities, elders, youth) or who are homeless.

- Our initial target of additional truly affordable housing units should be no less than **10,000 in five years and another 20,000 units in ten years, with further guidance from industry experts on the number of units per population needed as our community continues to grow**.

- We can and must advocate for more federal and state funding, in addition to raising local sources of funding, to support the preservation and development of truly affordable housing as well as supportive housing. Our local government officials should be assisting the local public housing authorities, the Trust and our NGOs in identifying, competing for and securing national, state and local funding opportunities for the construction and maintenance of truly affordable permanent housing.

- We can and must commit the federal funding we do receive for community redevelopment, urban renewal, public housing and housing assistance and otherwise to the preservation and development of truly affordable permanent housing. Policy makers with expertise in these areas can undoubtedly help lead the way in identifying more and creative ways to utilize our existing and create new federal, state and local resources toward the development of an adequate stock of affordable housing in our community. Consider, for example, reallocating public housing units to individuals and families who have special needs or are homeless as a priority to lessen the pressure on the shelter system and reduce shelter stays.

Increase the availability of public psychiatric treatment beds and supportive options, via sate hospitals or community facilities and other programs, for acutely and/or chronically ill individuals

- We can and must encourage the development of public psychiatric beds for adults and children alike, to provide residential treatment for stabilization and treatment and long term care if needed for individuals suffering from severe mental illness, with well thought out safety plans for exit to affordable permanent housing with supportive services, medical care, mental health care, food, medicine, and where possible education, tools and resources to contribute in a meaningful way to their health and wellbeing and that of their communities. Per industry experts, this means **50 beds per 100,000 population**, but such beds and residential settings must be trauma informed, holistic, respectful and uplifting to provide for healing on every level and build the foundation of safe, secure lives of those suffering from mental illness in our community.

- We must also establish a comprehensive mental heath system that ensures access to mental health care and treatment, including medications, as well as treatment for addictions and substance abuse, for those individuals of all ages suffering from mental illness.

- Our laws will need to recognize the provision of psychiatric treatment, in residential settings and otherwise, for those individuals suffering severe mental illness as a matter of basic human care and decency, particularly for those who lack the capacity or competence to make informed decisions in their best interests and are at risk of great harm on the streets.

Increase Our Shelter Capacity with Support Services To Bridge the Gap and Dedicate Resources Needed

- In order to preserve the shelter capacity we do have in the system now, the work of the Trust and homeless providers must be supported and adequately resourced to fund meaningful evidence-based solutions and best practices, recognizing our goal is not to warehouse but actually assist individuals and families stabilize, access needed resources, and transition to permanent homes off the streets.

- With shelter capacity overflowing, we can and must encourage the preservation and development of **at least 1000 more shelter beds in five years, recognizing children and families are the fastest growing homeless population,** with appropriate, evidence based and informed supportive services, in a continuum of care carefully designed to support and bridge the gap to affordable housing and comprehensive psychiatric care in our community. We must recognize there will always be a need for shelters to bridge homelessness experienced by individuals and families in our community, but we can reduce the times needed by enriching resources available during shelter stays and

amplifying other public systems for exit, like affordable housing, mental heath care, and social safety nets.

- In addition to more beds overall within the system, we need to **add a downtown resource center and clearing house** for individuals and families who are experiencing homelessness. A new downtown center would serve as a critical point of access and engagement, service provision, and hub for connections to the entire continuum of care, public psychiatric beds and affordable housing, ensuring increased access to shelter, transitional and permanent housing based on the level of needs of those served.

- All of these goals require both community and government support on may levels, including possible government-sponsored projects and public-private partnerships, with dedication of county and municipally owned land and buildings, additional funding via bond financing or an increase in and expansion to all communities in the County of the food and beverage tax, possible other tax incentives, expedited approvals and permitting, supportive services, operating funding and more.

- If we **raise the food and beverage tax by one penny, the Trust will have the resources to increase the capacity of and adequately fund a multi-faceted continuum of care that is designed to humanely shelter individuals and families with appropriate evidence based support services as we bridge the gap in affordable housing in our community and prepare for its continued growth.**

Conclusion

When we understand why the solutions to end homelessness established twenty years ago have not been able to keep pace with the growing numbers of individuals and families in need in our community, we have the opportunity to find and implement meaningful solutions. We are facing the consequences locally, and across the country, of years of policies that ignored the need for preservation and development of an adequate stock of truly affordable housing, in addition to the preservation and development of a multi-faceted mental health system that includes an adequate number of psychiatric beds and long term care for those suffering from severe mental illness.

The Trust was not designed to be the primary housing provider for our community, nor can we reasonably expect the homeless continuum to constitute our de facto mental health system. It is appropriate to look to the Trust and continuum of care providers as an essential and life saving bridge between public systems. To do so, the Trust and the continuum must be adequately resourced to properly preserve and fund the shelter beds currently within the system, participate in public/private partnerships to increase the capacity of our shelter system, and serve as a reservoir of expertise for exploring, understanding and implementing evidence based and informed best practices to assist those experiencing homelessness build the foundation for a better way of life.

When we make the commitment as a community to informed public policy, and increase and adequately resource the Trust as well other interrelated public systems, like affordable housing, mental health treatment, and supportive safety nets, we bring an end to the enormous suffering of the thousands of individuals and families now homeless – and generations to come. At the same time, Miami becomes a shining example of a world-class city that attracts and keeps residents and visitors from all over the world for its forward thinking, care and quality of lifestyle for everyone.

Private non-profit providers, like Lotus House, have and continue to make substantial contributions toward our community goal of ending of homelessness. We need greater participation from public partners at all levels of government. Lotus Endowment Fund Inc. is in the midst of a $20 Million capital campaign to redevelop the land floor plate of Lotus House to provide additional shelter bed capacity for women, youth and children experiencing homelessness and expand critical program facilities, such as our health clinic, children's wellness center and daycare, computer library and more. We are positioned to begin post haste, with needed construction financing already identified and many donors prepared to step forward, subject to securing the requisite governmental approvals. This facility enhancement was in actuality needed years ago for the many reasons discussed above, but raising the capital privately through donations to undertake this initiative is a monumental task. Poised to do so, support from our public officials and agencies for these essential public services is a necessity.

Respectfully Submitted,

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Miami Dade County Commission
City of Miami Commission
Homeless Trust Services Development Committee
Attached List.

Contact us to learn more about how we can make a difference together.

Give the gift of life at Lotus House and transform the future for generations to come.

- $25 provides 10 nutritious meals for a woman sheltered at Lotus House
- $50 provides a new diaper bag, blanket, bottles, and essential baby supplies for a Lotus House newborn
- $100 provides a bassinet to cradle one of our littlest infants
- $150 provides the all important stroller and car seat needed to bring a baby home from the hospital
- $250 provides a convertible crib/toddler bed, mattress and cuddly linens
- $500 helps cover the cost of school uniforms, shoes, transportation assistance, books, school supplies and related costs for a young woman striving to complete her educational or vocational goals while at Lotus House
- $1,000 helps cover the cost of shelter, meals, counseling, job readiness training, social services support, and educational and enrichment activities for one woman sheltered at Lotus House for an entire month

MAKE LIFE YOUR LEGACY!

Become a Founder of Lotus House by giving to Lotus Endowment Fund, Inc., a supporting foundation for Lotus House. Learn more about our giving levels and legacy gifts at www.lotusendowmentfund.org



Lotus House is operated by the Sundari Foundation, Inc., a non denominational, 501c3 public charity dedicated to the support, education, advancement and social inclusion of poor, disadvantaged, homeless and distressed women and children.

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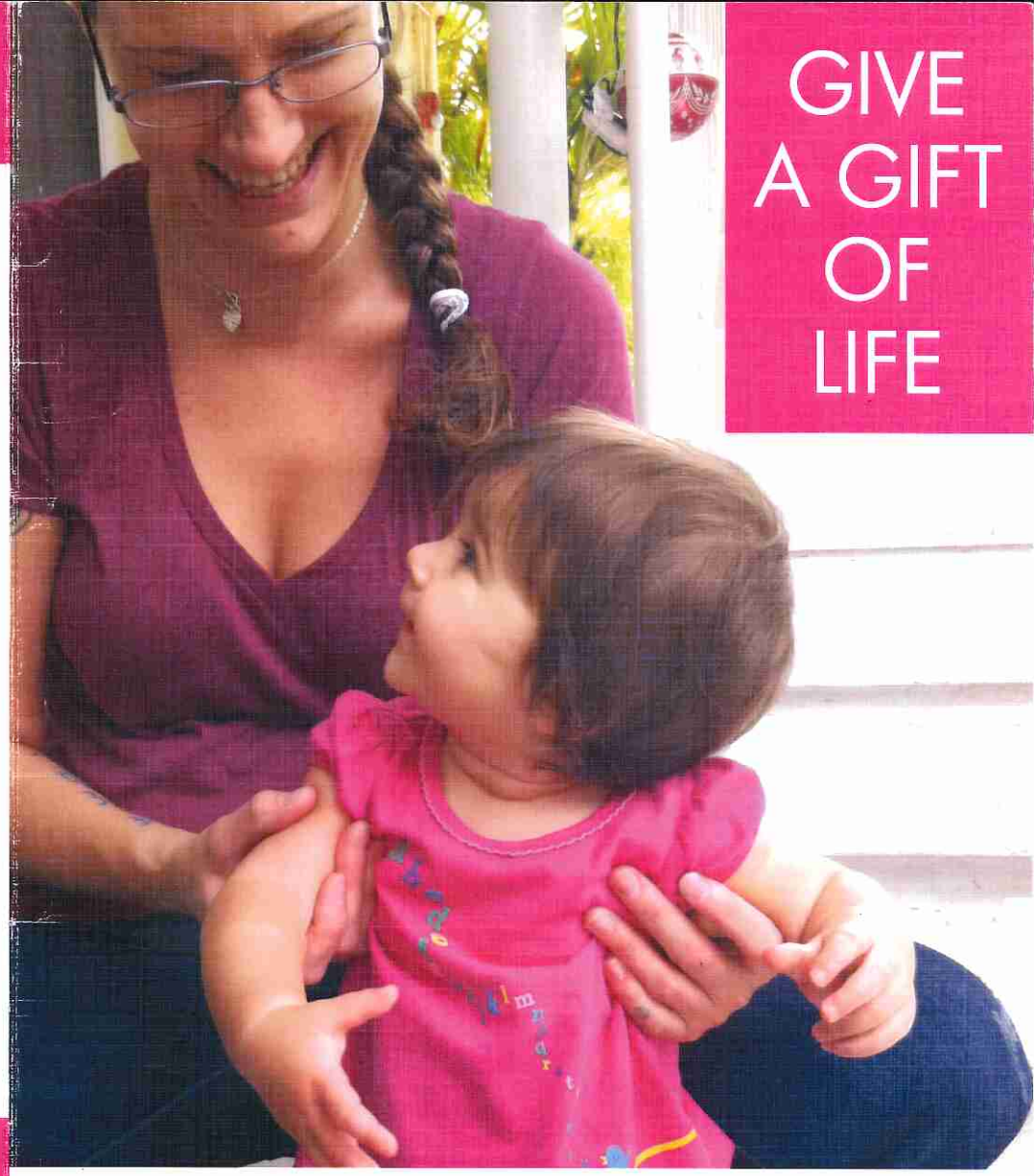
305.812.3840

Donations to the foundation and its endowment are deductible to the full extent permitted by section 501c3 of the internal revenue code. (foundation tax id #81-0652266; endowment tax id #92-0233563). A copy of the official registration and financial information (foundation ID#17660, endowment ID#31175) filed with the state of Florida may be obtained from the division of consumer services by calling toll free 800-435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

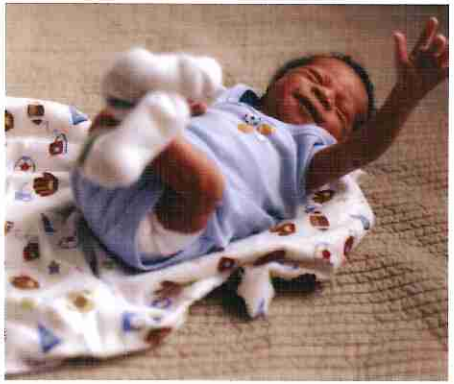


GIVE A GIFT OF LIFE

Break the cycle of childhood abuse, domestic violence, and homelessness with a gift of life changing support, tools, education and resources that heal broken bodies, minds and spirits.

Lotus House
where hope blossoms
sundari foundation, inc.

LOTUS HOUSE IS MORE THAN SHELTER FROM THE STORM



Trauma in families and children has a definite cost that can be life long. Research shows that trauma negatively impacts memory, concentration and learning in children, especially those at greatest risk in our communities. Unresolved trauma can cause depression, anxiety, aggression, withdrawal or self-destructive, even suicidal, behaviors in our young ones. Studies indicate that homeless children:



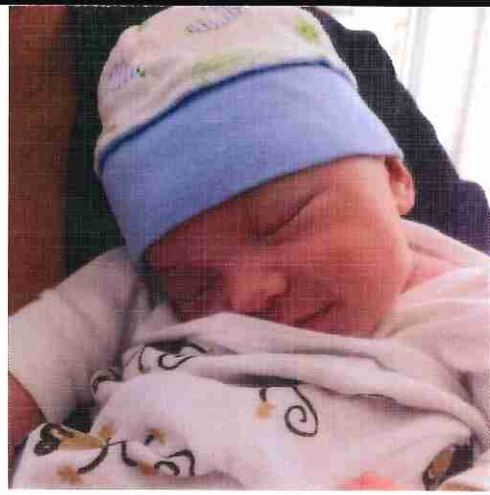
- Are sick at twice the rate of other children
- Go hungry twice as often as non-homeless children
- Experience twice the rate of learning disabilities and are twice as likely to repeat a grade
- Have three times the rate of emotional and behavioral problems of non-homeless children

Most homeless mothers have a history of trauma themselves, often dating back to their childhoods. Homelessness itself is another layer of trauma for mothers and children, and yet, there is hope. The latest research indicates that it is possible to break the cycle of childhood abuse, domestic violence and homelessness with life changing support, tools, education and resources that heal broken bodies, minds and spirits. Mothers provided with evidence-based trauma-resolution therapy and strong supportive parenting skills can positively impact everything from their child's chances of high school graduation to their success in the work force as adults.

Lotus House is committed to providing child and family centered services that promote trauma resolution in both children and mothers. Families benefit from evidence-based child therapy, dyadic parent/child therapy and parenting education to build the foundation for a safe, secure and better way of life. In addition to these critical components to healing, Lotus House offers a wide range of other programs and services that are needed.



This isn't about second chances it's about the *very first* and the future.



In a supportive and nurturing environment, our families are afforded a safe haven and an opportunity to learn and grow on every level. Mothers and babies receive much needed supplies like formula, diapers, bottles, blankets, and maternity and infant clothing. Our shared apartments include cribs, changing tables, kitchens equipped with child safety features, and toys. Lush gardens and a "baby and me" play center offer children and moms alike a safe environment in which to bond, play and find peace together.



In addition to free shelter, clothing, and nourishing meals, Lotus House provides coordinated, multi-faceted, wrap-around support services, arranging pre-natal care, birthing and parenting classes, access to life saving medications, infant mental health screening, and medical and mental health treatment. Counselors serve as advocates to ensure every family receives social services and benefits essential to their new start to happy and healthy lives. Our job readiness training programs and employment specialist assist mothers in re-entering the work world after babies are born, learning how to juggle their new roles, and saving their nest egg for their future transition to permanent homes.

When families are ready to move, Lotus House Thrift helps them get settled in their new homes with donated furnishings, linens, dishes and kitchen necessities, as well as special needs items for babies like cribs, strollers, car seats, and more. Lotus House continues to serve as a resource to provide stability to these new families long after their successful completion.

In holistic child and family centered programming and support services, Lotus House helps these special women and their children emerge from the shadows, give voice to their dreams and aspirations, and become who they are meant to be. Your support truly makes hope blossom!



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X-Mailer: iPad Mail (12F69)
Message-Id: <218EBFBB-1B1C-4ADB-9F87-56E565A576E2@gmail.com>
Date: Sun, 28 Jun 2015 19:34:56 -0400
Cc: Lisbeth Bustin <gm@900biscaynebay.net>
Content-Transfer-Encoding: quoted-printable
To: "mayor@miamidade.gov, district1@miamidade.gov, district2@miamidade.gov, district3@miamidade.gov, district4@miamidade.gov, district5@miamidade.gov, district6@miamidade.gov, district7@miamidade.gov, district8@miamidade.gov, district9@miamidade.gov, district10@miamidade.gov, district11@miamidade.gov, district12@miamidade.gov, district13@miamidade.gov" <mayor@miamidade.gov, district1@miamidade.gov, district2@miamidade.gov, district3@miamidade.gov, district4@miamidade.gov, district5@miamidade.gov, district6@miamidade.gov, district7@miamidade.gov, district8@miamidade.gov, district9@miamidade.gov, district10@miamidade.gov, district11@miamidade.gov, district12@miamidade.gov, district13@miamidade.gov>

Commissioners:
We are new residents to Downtown Miami. It's a district filled with the prom= ise of growth and continued expansion. And an insidious and growing homeles= s population.=20

It's shameful that residents and visitors alike must endure this picture amo= ng the blue skies and palm trees and beautiful architecture that we all love= about downtown Miami.

Most importantly it's shameful that human beings are allowed to live this wa= y - surrounded by such plenty.

The ShelterNow program funded by the city have helped to alleviate this comp= lex problem and it cannot be allowed to die because of lack of funding. This= program is crucial to helping the homeless in our neighborhood.

WE ASK THAT YOU PLEASE CAST A YES VOTE TO CONTINUE FUNDING TO THIS PROGRAM FO= R THE NEXT YEAR. IT'S JUST THE RIGHT THING TO DO.

Sincerely,=20
Eugene Walton
Thomas Porto 900 Biscayne Blvd, Apt 4301, Miami 33132

Lisbeth Bustin

From: Eugene Walton
Sent: Sunday, June 28, 2015 7:35 PM
Subject: Shelter Now

This message was not processed because it contains an invalid recipient.

Delivered-To: gm@900biscaynebay.net
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Sun, 28 Jun 2015 16:35:00 -0700 (PDT)
X-Received: by 10.55.23.132 with SMTP id 4mr26336296qkx.72.1435534499767;
Sun, 28 Jun 2015 16:34:59 -0700 (PDT)
Return-Path: <gwalton450@gmail.com>
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for <gm@900biscaynebay.net>
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Sun, 28 Jun 2015 16:34:59 -0700 (PDT)
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Sun, 28 Jun 2015 16:34:58 -0700 (PDT)
Subject: Shelter Now
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From: Eugene Walton <gwalton450@gmail.com>
Content-Type: text/plain;

MEMORANDUM

Agenda Item No. 11(A)(2)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	February 3, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution declaring surplus County-owned land located at 1280 NW 11th Street in the City of Miami, Florida, authorizing the conveyance of same to the River Landing Conservation Foundation, Inc., a Florida not-for-profit corporation

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 3, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
2-3-15

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS COUNTY-OWNED LAND LOCATED AT 1280 NW 11th STREET IN THE CITY OF MIAMI, FLORIDA, AUTHORIZING THE CONVEYANCE OF SAME TO THE RIVER LANDING CONSERVATION FOUNDATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE PURPOSE OF CREATION AND MAINTENANCE OF GREEN SPACE, SEAWALL, LANDSCAPING, LIGHTING AND A RIVERWALK OPEN TO THE PUBLIC, AS WELL AS INCIDENTAL PUBLIC FAIRS OR SHOWS FOR NO MORE THAN THIRTY TOTAL DAYS A YEAR, AND REQUIRING THE FOUNDATION'S EXPENDITURE OF A MINIMUM OF $3,974,223.00 TO CREATE SUCH IMPROVEMENTS; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD AND POLICY SET FORTH IN RESOLUTION NO. R-256-13 REQUIRING A LEASE RATHER THAN A DEED WHEN CONVEYING PROPERTY TO NOT-FOR-PROFIT ENTITIES UNDER FLORIDA STATUTE SECTION 125.38; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED AND DECLARATION OF RESTRICTIONS FOR SUCH PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY

WHEREAS, The River Landing Conservation Foundation, Inc. (the "Foundation") is a Florida not-for-profit corporation which was organized for the community interest and welfare purpose of acquiring and improving land along the Miami River in order to enhance the Health District in the City of Miami; and

WHEREAS, the Foundation is seeking to participate in the City of Miami River Greenway Action Plan to provide walkways and green space along the Miami River in the Health District of the City of Miami for the benefit of the residents of Miami-Dade County; and

WHEREAS, the County owns property located at 1280 N.W. 11th Street in Miami, Florida (the "Property") which is not needed for County purposes; and

WHEREAS, the Foundation has applied to the County for the conveyance of the Property for the construction and maintenance of green space, a pedestrian walkway along the north bank of the Miami River, the creation of a seawall along the Miami River, and enhanced beautification, landscaping and lighting (the "Improvements") on the Property, and for the incidental use for public shows and fairs which shall be open to the public and shall not exceed a total period of thirty period (30) days per year; and

WHEREAS, the Foundation will use the Property to construct and maintain green space, pedestrian walkways, the seawall, landscaping and lighting at no cost to the County or its residents, in support of the community interest and welfare purposes for which it is organized; and

WHEREAS, the Foundation will also be permitted to use the Property for incidental public shows and fairs, for a total period of thirty (30) days per year, which shall be open to the public and serve the community interest and welfare; and

WHEREAS, the Property will be conveyed at no cost to the Foundation by a County Deed, in substantially the form attached as Exhibit "A," which will require the construction of the Improvements within three years, with potential extensions up to three additional years for the construction of the seawall if certain minimum conditions are met to be determined in the sole discretion of the County Mayor or County Mayor's designee; and

WHEREAS, the Foundation has executed a Declaration of Restrictions, attached as Exhibit "B" which requires the expenditure of a minimum of $3,974,223.00 to create and maintain the Improvements, restricts the use and re-conveyance of the Property, and provides for a reverter at no cost to the County if such conditions are not met, to ensure compliance with the intent of this Board; and

WHEREAS, this Board finds that, pursuant to Section 125.38 of the Florida Statutes, the Property is required for such use and that the use intended would promote community interest and welfare; and

WHEREAS, in light of the nature of the proposed use as green space, walkways and seawall improvements in accordance with the City of Miami Greenway Action Plan, and the required expenditure of a minimum of $3,974,223.00 as set forth in Exhibit "B," this Board waives the policy set forth in Resolution No. R-256-13 which requires a lease rather than a deed of conveyance when transferring property to a not-for-profit corporation under Section 125.38, Florida Statutes; and

WHEREAS, at the time of adoption of Resolution No. R-909-14 by the Board, this conveyance was in the stage of continuous and ongoing negotiation and therefore, such resolution would not apply to this conveyance,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board ratifies and adopts the matters set forth in the foregoing recitals.

Section 2. This Board approves the conveyance of the Property to the Foundation pursuant to Section 125.38 of the Florida Statutes, waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board and the board policy set forth in Resolution No. 256-13, authorizes the Chairperson or Vice-Chairperson of the Board to execute the County Deed and Declaration of Restrictions in substantially the form attached as Exhibits "A" and "B," and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate this conveyance.

Section 3. Pursuant to Resolution No. R-974-09, this Board directs the County Mayor to first record the Declaration of Restrictions, followed by the County Deed, in the public records of Miami-Dade County, and to provide a recorded copy of these documents to the Clerk of the Board within thirty (30) days of their execution, and further directs the Clerk of the Board to attach and permanently store a recorded copy of the County Deed and Declaration of Restrictions together with this resolution.

Section 4. This Board directs the County Mayor or County Mayor's designee to appoint staff to monitor compliance with the terms of this conveyance.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of February, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Debra Herman

EXHIBIT A

Instrument prepared by and returned to:
Robert Warren, Real Estate Advisor
Miami-Dade County, Internal Services Department
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio No. : 01-3135-037-0090

---------- {{SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA} ----------

COUNTY DEED

THIS COUNTY DEED, made this day of , 2015, by Miami-Dade County, Florida, a political subdivision of the State of Florida, party of the first part (the "County"), whose address is: Stephen P. Clark Center, 111 N.W. 1st Street, Suite 2460, Miami, Florida 33128, and the River Landing Conservation Foundation, Inc., (the "Foundation") a Florida not-for-profit corporation, party of the second part, whose address is: 283 Catalonia Avenue, Coral Gables, Florida 33134.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten ($10.00) Dollars, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged has granted, bargained and sold, except without the right to convey or assign, to the party of the second part, its successors and assigns forever, the following described lands lying and being in Miami-Dade County, Florida, (the "Property"):

LEGAL DESCRIPTION

TRACT 9 OF CIVIC CENTER SECTION ONE, according to the Plat thereof recorded in Plat Book 75, at Page 26, of the Public records of Miami-Dade County, Florida, including that parcel of land lying North of the Miami River and South and Southwesterly of Southerly right-of-way of NW 11 Street, as now laid out and in use.

Address: 1280 NW 11th Street, Miami, FL 33125
Folio No: 01-3135-037-0090

This grant conveys only the interest of the County and its Board of County Commissioners in the Property herein described and shall not be deemed to warrant the title or to represent any statement of facts concerning the same. This grant is made solely for the public not for profit purpose of construction, maintenance and creation of sea wall improvements, pedestrian walkways and green space, enhancement, beautification, landscaping and lighting of the walkways along the banks of the Miami River and greenways along the north side of the Miami River according to the City of Miami Greenway Action Plan for the benefit of all Miami-Dade County residents for the non-profit use of the public, and for no other use and subject to the terms and conditions contained in the Declaration of Restrictions (the "Declaration") executed together with this Deed on _____.

If in the sole discretion of the County, the Property ceases to be used for these purposes by the Foundation, or the Foundation ceases to exist, or changes or loses its status as a not-for-profit corporation, or if the Foundation violates the terms contained in the Declaration, including but not limited to construction of the improvements or expenditure of funds set forth in Exhibits A and B of the Declaration, title to the Property shall revert to the County, at the option of the County under the terms set forth in the Declaration. In the event of such reverter, the Foundation shall immediately deed the Property back to the County, and the County shall have the right to immediate possession of the Property, with any and all improvements thereon, at no cost to the County. The effectiveness of the reverter shall take place after final notice is provided by the County, regardless of the deed back to the County by the Foundation. The County retains a reversionary interest in the Property, which right may be exercised by the County in accordance with this Deed or the Declaration. Upon such reversion, the County may file a Notice of Reversion evidencing same in the public records of Miami-Dade County.

[THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK]

[ONLY THE SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF Miami-Dade County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chair Person of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:
FLORIDA

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

MIAMI-DADE COUNTY,

BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____

Approved for legal sufficiency: _____

The foregoing was authorized by Resolution No.: _____approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____day of _____, 2014.

This instrument was prepared by:
Robert Warren, Real Estate Advisor
Internal Services Department
Miami-Dade County
111 N.W. 1st Street, Suite 2460
Miami, Florida 33129

Folio No.: 01-3135-037-0090 (Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, Miami-Dade County (the "County") has approved the conveyance to the River Landing Conservation Foundation, Inc. (the "Foundation"), a Florida not-for-profit corporation, of real property located in the City of Miami, Florida, subject to the execution of this Declaration of Restrictions ("Declaration"), legally described as follows:

> TRACT 9 OF CIVIC CENTER SECTION ONE, according to the Plat thereof recorded in Plat Book 75, at Page 26, of the Public records of Miami-Dade County, Florida, including that parcel of land lying North of the Miami River and South and Southwesterly of Southerly right-of-way of NW 11 Street, as now laid out and in use.
>
> Address: 1280 NW 11th Street, Miami, FL 33125 (the "Property")
> Folio No: 01-3135-037-0090

WHEREAS, the Foundation hereby acknowledges and agrees that this Declaration was an inducement and part of the consideration for the County to convey the Property to the Foundation.

NOW THEREFORE, in order to assure the County that the representations made by the Foundation will always be abided by, the Foundation, for sufficient consideration, makes the following Declaration covering and running with the Property.

The Foundation hereby agrees and stipulates as follows:

Permitted Use of the Property. The Property shall solely be used by the Foundation to: construct, maintain, and create pedestrian walkways on the boundary of the Property and to enhance, beautify, landscape and light the walkways along the banks of the Miami River, and to build, create and maintain sea-wall improvements and greenways along the north side of the

Miami River (collectively the "Improvements"), all of which shall be for such not for profit use by the public at no charge, consistent with all governmental regulations and according to the City of Miami Greenway Action Plan for the benefit of the public, and for no other use. No for-profit use shall be made of the Property. Notwithstanding the foregoing, incidental shows or fairs may be held on the Property provided that they shall be open to the public and limited to a total duration of thirty (30) total days per year. Construction of the Improvements, with the exception of the seawall as set forth herein, shall be completed, as evidenced by a final certificate of completion or its equivalent, within three (3) years of the conveyance of the Property. Solely with respect to the improvements to the seawall, such construction shall be completed, as evidenced by a final certificate of completion or its equivalent, within three (3) years of the conveyance of the Property; provided, however, that if the Foundation has applied and paid for all necessary permits, and through no fault or delay of the Foundation, the seawall has not been completed within the three year period, then the timeframe for completion may be extended by the County Mayor or the County Mayor's designee in one year increments for a total of three additional years, to be determined in the sole discretion of the County Mayor. Immediately following its completion, the Improvements shall continuously be maintained solely for the uses set forth in this section. Nothing in this Declaration, however, shall prevent the Foundation from modifying or updating the walkways or seawall to be consistent with any future modifications of the Miami River Greenway Action Plan. The Foundation shall maintain the Improvements along the boundary of the property consistent with all governmental regulations, including, but not limited to, the City of Miami standards for the Miami River and the State of Florida Inland Waterways regulations or standards.

As a minimum condition of this Declaration, in addition to any additional requirements set forth herein, the Foundation shall construct and create the improvements, and expend the funds on same, as set forth in Exhibits A and B, attached hereto and made a part hereof. Such construction, use, maintenance, and expenditure shall be a required and enforceable condition of this Declaration.

County Inspection and Right to Audit. It is hereby agreed that the County, or its duly authorized agents, shall have the right at any time to inspect the Property, or upon reasonable notice, the Foundation's financial and accounting records, maintenance records, or other corporate documents related to the construction or maintenance of the Improvements to determine whether the requirements herein are being fully complied with. Such records shall be made available within fifteen (days) of such request by the County.

Covenant Running with the Land. This Declaration shall constitute a covenant running with the land on the Property, and shall be recorded in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the River Landing Conservation Foundation, and its subsidiaries, successors and assigns until such time as the same is modified, amended or released by mutual agreement with, and as evidenced by resolution of Miami-Dade County. The Foundation, its subsidiaries, successors and assigns, agree that acceptance of this Declaration is legally binding upon them, and does not in any way obligate or provide a limitation on the County.

Assignment, Lease or Subsequent Conveyance. The Foundation shall not assign, lease, or convey or transfer the Property, in whole or in part, to any person or entity without the prior written consent of Miami-Dade County Board of County Commissioners, which may be withheld in its sole and absolute discretion.

Modification, Amendment, Release. This Declaration may not be amended or released without the written consent of Miami-Dade County, in its sole and absolute discretion.

Authorization for Miami-Dade County to Reacquire the Property. In the event that the Improvements are not constructed as set forth herein, including but not limited to expenditure of the funds and/or construction of the improvements set forth in Exhibits A and B hereto within the time frame set forth herein, or the Foundation ceases to exist or changes or loses its status as a not-for-profit organization, or any of the terms of this Declaration are not complied with, the County shall provide thirty (30) days written notice to the Foundation to provide the Foundation an opportunity to cure the default ("Grace Period"). If after expiration of the thirty (30) day Grace Period, the Foundation has not remedied the default, as determined in the County's sole and absolute discretion, then at the option of the County and upon ten (10) days' written notice, the Property shall then immediately revert to the County, along with any and all improvements thereon, without cost or expense to the County. This right shall be in addition to any other remedy that the County may have herein and/or at law or in equity.

Election of Remedies. All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising, at will, such other additional rights, remedies, or privileges.

Severability. Invalidation of any one of these covenants, by judgment of a court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to reacquire the Property predicated upon the invalidated portion of this Declaration as a result of its reversionary interest in the Property.

Recording. This Declaration shall be filed on the date the Property is conveyed to the Foundation, with the Declaration filed first and then the Deed for the Property filed immediately thereafter. This Declaration shall become effective immediately upon recordation.

Acceptance of Declaration. The Foundation acknowledges that acceptance of this Declaration does not obligate Miami-Dade County in any manner, and does not entitle the Foundation to favorable approval of any application, zoning or otherwise, and that the County retains its full power and authority to any application, in whole or in part.

Incorporation of Recitals. The Foundation hereby agrees that the recitals in this Declaration are hereby true and correct, and are incorporated into this Declaration.

IN WITNESS WHEREOF, the representatives of the River Landing Conservation Foundation, Inc. have caused this Declaration to be executed by their respective and duly

authorized representative on this 23 day of December 2015, and they intend to be legally bound hereby to all of the terms and conditions of this Declaration.

River Landing Conservation
Foundation, Inc.
a Florida not-for-profit corporation

Witness/Attest:

By: _____

Witness/Attest:

Name: Andrew Hellinger

Title: Incorporator/President

STATE OF Florida

SS:

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 23 day of December 2015, by Andrew Hellinger, of the River Landing Conservation Foundation, Inc., a Florida not-for-profit corporation, whose title is Incorporator / Manager and s/he has produced _____ as identification.

VICKY A. GARRIGO
MY COMMISSION # FF 027991
EXPIRES: June 16, 2017
Bonded Thru Notary Public Underwriters

(SEAL)

Notary Public-State of Florida
Commission Number: FF 027991

MIAMI-DADE COUNTY, FLORIDA,
a political subdivision of the State of
Florida by its Board of County
Commissioners

By:_____

Name:_____

Title:_____

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

APPROVED FOR FORM AND LEGAL SUFFICIENCY

By: _____

Name: _____
Title: Assistant County Attorney

EXHIBIT "A"

Required Use and Construction on the Property by the River Landing Conservation Foundation, Inc.:

1. Creation of scenic and pedestrian walkways along the banks of the Miami River for use by the public.

2. Creation and improvement of the seawall along the boundary of the Property on the banks of the Miami River to prevent erosion of the land and to allow the building of the pedestrian walkways.

3. Enhanced beautification, landscaping and lighting of the boundary of the Property creating pedestrian walkways, greenway and riverwalk along the banks of the Miami River and below the SR 836 highway.

4. Creation of green space along the banks of the Miami River.

5. Construction of the pedestrian walkways, bicycle paths and supporting seawall along the length of the property all in conformity with the applicable zoning rules and regulations and all federal, state, county and municipal regulations, including, but not limited to the Miami Greenway Action Plan of April 2001 including its modifications and amendments according to any City of Miami ordinances and/or resolutions.

6. Construction of the itemized improvements on the Budget Estimate attached as Exhibit "B" to this Declaration.

7. The Foundation shall spend a minimum of $3,974,223, as per the specifications of Exhibit "B," in site work, construction, utilities and maintenance for the Property.

EXHIBIT "B"

March 12th, 2013

River Landing County Parcel Alternate 1
MIAMI, FL

PRELIMINARY BUDGET ESTIMATE

Gross Site Area (SF): 94,000

SPEC	DESCRIPTION OF WORK	River Landing County Parcel Alternate 1 QNTY	UNIT	COST	TOTAL
	SITE WORK & UTILITIES				
	General Items				
	Surveying, Layout, & As-builts	1	ls	25,000.00	25,000
	Sedimentation Control Fence	2,300	lf	5.00	11,500
	Turbidity Barrier	1,000	lf	25.00	25,000
	Construction Entrance	2	ea	5,000.00	10,000
	Construction Gates - 20'-0"	2	ea	1,200.00	2,400
	Truck Wash Station	1	ea	4,000.00	4,000
	Temporary Construction Fence w/ Screen	2,300	lf	12.50	28,750
	Maintain Temporary Construction Fence	310	mh	23.00	7,130
	Demolition				
	Asphalt removal	70,000	sf	0.17	11,900
	Concrete curb removal	1,315	lnft	0.17	224
	Tree Removal/Clear & grub	94,000	sf	0.45	42,300
	Remove Light Poles/Foundations	5	ea	367.33	1,837
	Earth Work				
	Strip Topsoil 0'-6" - Haul Offsite	1,741	cy	10.00	16,957
	Rough Grade Site	10,444	sy	1.63	17,024
	Storm Drainage				
	Storm Drainage System	1	allow	20,000.00	20,000
	Sanitary Sewer				
	Sanitary Sewer System			N/A	
	Water Distribution				
	Irrigation service	1	allow	10,000.00	10,000
	Site Electrical				
	Lighting: Water's Edge	100	ea	2,000.00	200,000
	Lighting: Overhead	30	ea	4,000.00	120,000
	Site Improvements				
	Replace existing sidewalk	12,400	sf	6.00	74,400
	Stamped concrete paving w/ wood element	26,000	sf	12.00	312,000
	12" Stabilized subgrade	2,889	sy	4.50	13,001
	4" Limerock base	2,889	sy	7.50	21,667
	Seawall Improvements				
	Temporary sheet piling	900	lf	350.00	315,000
	Dewatering	1	allw	250,000.00	250,000
	Utility locates (Diver)	1	ls	15,000.00	15,000
	Maintenance of Traffic - Existing Roadway as Access	1	ls	10,000.00	10,000
	Sheet piling, concrete cap, batter piles at new sea wall	750	lf	1,300.00	975,000
	Limestone boulders lining new sea wall (Miami-Dade rqmnt)	750	lf	135.00	101,250
	Sand for boulders, material only (Miami-Dade rqmnt)	750	lf	90.00	67,500
	Site Furnishings				
	Plainwell Benches-Wood/Metal-6ft	12	ea	3,000.00	36,000
	Plainwell Trash Receptacles	15	ea	1,400.00	21,000
	Wayfinding signage	3	ls	5,000.00	15,000
	Metal Railing	800	lnft	75.00	60,000
	Misc. FFE Designer	1	slw	75,000.00	75,000
	Landscaping & Irrigation				
	Landscaping - Large Palms	25	ea	3,750.00	93,750
	Landscaping - Trees	40	ea	2,500.00	100,000
	Landscaping - Shrubs/Groundcover	650	ea	65.00	42,250
	Landscaping - Sod	70,500	sf	0.37	26,085
	Irrigation	94,000	sf	0.45	42,300
	Subtotal Construction Costs				3,222,223
	General Conditions & Mark Ups				
	General Conditions				400,000
	Insurance Program				40,000
	Payment & Performance Bond				32,000
	Design Contingency				0
	Construction Contingency			2%	80,000
	Construction Managers Fee			5%	200,000
	Estimate Total:				3,974,223

AGENDA ITEM 11(A)(2)

BOARD OF COUNTY COMMISSIONERS MEETING – June 30, 2015

COMMISSIONER BARREIRO'S' PROPOSED AMENDMENTS TO AGENDA ITEM 11(A)(2)

On handwritten page12, the second line shall be amended as follows:

... all of which shall be for such not for profit use by the public >>at all times<< at no charge...

On handwritten page 8, the legal description is amended to read as follows:

TRACT 9 OF CIVIC CENTER SECTION ONE, according to the Plat thereof recorded in Plat Book 75, at Page 36, of the Public Records of Miami-Dade County, Florida, including that parcel of land lying North of the Miami River and South and Southwesterly of Southerly right-of-way of NW 11 Street;

>>Less and except that portion of said TRACT 9 which was transferred by County Deed from the County to the State Road Department of Florida (n/k/a Florida Department of Transportation) on June 28, 1966 as recorded in Official Records Book 5159, Page 320 of the Public Records of Miami-Dade County (the "State Property"). The County further reserves unto itself, its successors and assigns, 1) a non-exclusive perpetual easement over, above and upon the Property as set forth in the legal description and parcel sketch attached as Exhibit 1 attached hereto, for the expansion, construction, renovation, and maintenance of 836 Expressway currently constructed on the State Property; and 2) an exclusive temporary construction easement over, above and upon the Property as set forth in the legal description and parcel sketch attached as Exhibit 2 attached hereto from January 1, 2016 to December 31, 2023, for the construction of the expansion and renovation of 836 Expressway; and including a reservation of rights of ingress and egress. These easements shall be superior to any other existing or future use of the Property.

Said conveyance is subject to all easements, dedications and other notations contained in the Plat of Civic Center Section One, according to the plat thereof recorded in Plat Book 75, Page 36 of the Public Records of Miami-Dade County, Florida; and is further subject to the easement granted by Dade County to the Department of Water and Sewer of the City of Miami, dated December 20, 1955 and attached hereto.

Said conveyance is subject to the restrictions set forth in the Declaration of Restrictions recorded on _____ in Official Records Book ____ at Page ____ in the Public Records of Miami-Dade County. <<

Amended

On handwritten page 11, the legal description is amended to read as follows:

TRACT 9 OF CIVIC CENTER SECTION ONE, according to the Plat thereof recorded in Plat Book 75, at Page 36, of the Public Records of Miami-Dade County, Florida, including that parcel of land lying North of the Miami River and South and Southwesterly of Southerly right-of-way of NW 11 Street;

>> >>Less and except that portion of said TRACT 9 which was transferred by County Deed from the County to the State Road Department of Florida (n/k/a Florida Department of Transportation) on June 28, 1966 as recorded in Official Records Book 5159, Page 320 of the Public Records of Miami-Dade County (the "State Property"). The County further reserves unto itself, its successors and assigns, 1) a non-exclusive perpetual easement over, above and upon the Property as set forth in the legal description and parcel sketch attached as Exhibit 1 attached hereto, for the expansion, construction, renovation, and maintenance of 836 Expressway currently constructed on the State Property; and 2) an exclusive temporary construction easement over, above and upon the Property as set forth in the legal description and parcel sketch attached as Exhibit 2 attached hereto from January 1, 2016 to December 31, 2023, for the construction of the expansion and renovation of 836 Expressway; and including a reservation of rights of ingress and egress. These easements shall be superior to any other existing or future use of the Property.

Said conveyance is subject to all easements, dedications and other notations contained in the Plat of Civic Center Section One, according to the plat thereof recorded in Plat Book 75, Page 36 of the Public Records of Miami-Dade County, Florida; and is further subject to the easement granted by Dade County to the Department of Water and Sewer of the City of Miami, dated December 20, 1955 and attached hereto.

Said conveyance is subject to the restrictions set forth in the County Deed recorded on _____ in Official Records Book ____ at Page ____ in the Public Records of Miami-Dade County.

The attached Exhibits 1 and 2 to the amended legal description shall be attached to the County Deed and Declaration following handwritten pages 10 and 15, describing the easements retained by the County related to the expansion and renovation of 836 Expressway.

LEGAL DESCRIPTION - PARCEL 829-A:

That easement being a portion of land in Tract 9 of "CIVIC CENTER SECTION" ONE, a subdivision lying in the NE ¼ of the SW ¼ of Section 35, Township 53 South, Range 41 East, according to the plat thereof as recorded in Plat Book 75 at Page 36 of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:
BEGINNING at point of intersection of the Southwesterly line of said Tract 9 with the Existing Limited Access Right of Way Line lying northwesterly of S.R. 836 as per F.D.O.T. Right of Way Map for Section 87200-2505; thence run N67°36'41"W along the southwesterly line of said Tract 9, for a distance of 10.86 feet to the point of intersection with the northwesterly line of the herein described easement, thence run N65°50'57"E along said easement line, for a distance of 42.90 feet to the point of intersection with the southwesterly Right of Way Line on NW North River Drive, coincident with the northeasterly line of said Tract 9, said point being on a circular curve concave to the northwest; thence run southeasterly along said circular curve also being the southwesterly Right of Way Line of NW North River Drive, having a radius of 828.31 feet through a central angle of 00°36'43" subtending a 8.85 foot chord which bears S51°08'42"E, for an arc distance of 8.85 feet to the point of intersection with the Existing Limited access Right of Way Line lying northwesterly of S.R. 836 as per F.D.O.T. Right of Way Map for section 87200-2505; thence run S65°50'57"W, along said Existing Limited Access Right of way Line, for a distance of 39.45 feet to the point of intersection with the southwesterly line of said Tract 9 and the POINT OF BEGINNING.
Containing an area of 324 square feet, more or less.

GENERAL NOTES:

1. This Sketch is Not a Survey.
2. Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
3. Bearings and coordinates are relative to the State Plane Coordinates System, Florida East Zone, Traverse Mercator Projection, North American Datum (NAD83) 1983 adjustment 2007 and are based on a PNC Project Baseline bearing of N 03°42'37" W being established between FDOT monuments:
PNC02 stamped 87 11 PNC02 (N 526779.1510, E 919562.7520) and
PNC04 stamped 87 11 PNC04 (N 528164.0790, E 919472.9400)
and therefrom a bearing of N 87°51'13" E along the Monument Line of NW 12th Street between NW 12th AVENUE and NW 13th AVENUE.
4. Addition and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
5. Prepared for MIAMI-DADE EXPRESSWAY AUTHORITY.
6. Date Prepared: October 27th, 2014.

JOSE L. SANFIEL, DATE
PROFESSIONAL LAND SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5636

THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

THIS IS NOT A SURVEY

REVISION	BY	DATE
$USER$		$DATE$

MIAMI-DADE EXPRESSWAY AUTHORITY

LEGAL DESCRIPTION-PARCEL 829-A

STATE ROAD NO. 836 — MIAMI-DADE COUNTY

	BY	DATE
DRAWN	T.MOREJON	02-03-2015
CHECKED	A.TOIRAC	02-03-2015

PREPARED BY: CH PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC. 8504 NW 41st STREET, SUITE 201, DORAL FL 33178 TEL: 305-592-1070 / FAX: 305-592-1078 IN 7230

DATA SOURCE: SEE GENERAL NOTES

Proj. NO. 83611 — SECTION 87200 — SHEET 1 OF 2

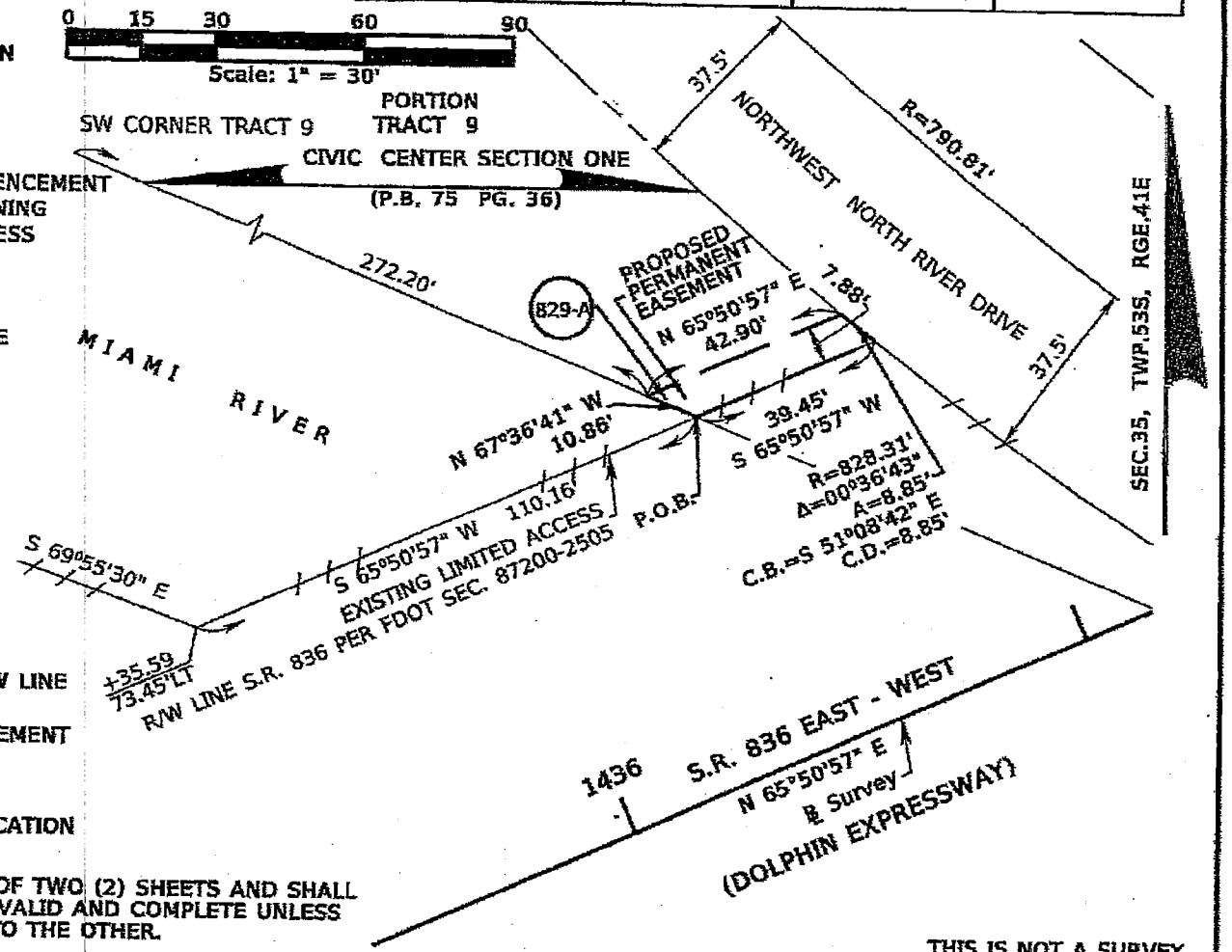
$TIME$ $FILE$

EXHIBIT 1

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
829-A	MIAMI-DADE COUNTY GSA R/E MGMT	324 SF	UNDETERMINED	

LEGEND:

FDOT	=	FLORIDA DEPARTMENT OF TRANSPORTATION
S.R.	=	STATE ROAD
℄	=	CENTERLINE
℄	=	BASELINE
℄	=	PROPERTY LINE
P.O.C.	=	POINT OF COMMENCEMENT
P.O.B.	=	POINT OF BEGINNING
LB	=	LICENSED BUSINESS
R	=	RADIUS
A	=	CURVE LENGTH
Δ	=	DELTA
CD	=	CHORD DISTANCE
CB	=	CHORD BEARING
N/A	=	NOT APPLICABLE
PG.	=	PAGE
P.B.	=	PLAT BOOK
R/W	=	RIGHT OF WAY
L/A	=	LIMITED ACCESS
SEC.	=	SECTION
TWP.	=	TOWNSHIP
RGE.	=	RANGE
SF	=	SQUARE FEET
PROJ.	=	PROJECT
No.	=	NUMBER
— / — / —	=	EXISTING L/A R/W LINE
— — —	=	PROPOSED PERMANENT EASEMENT
(2)	=	BLOCK NUMBER
(829-A)	=	PARCEL IDENTIFICATION NUMBER



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THIS IS NOT A SURVEY

MIAMI-DADE EXPRESSWAY AUTHORITY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

REVISION	BY	DATE

STATE ROAD NO. 836 — MIAMI DADE COUNTY

	BY	DATE
DRAWN	T.MOREJON	02-03-2015
CHECKED	A. TORAC	02-03-2015

PREPARED BY: CH PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC. 2054 NW 41ST STREET, SUITE 201, DORAL, FL 33178 TEL: 305-592-1470 / FAX: 305-592-1478 LB 7360

DATA SOURCE: SEE GENERAL NOTES

F.P. NO. 83611 — SECTION 87200 — SHEET 2 OF 2

LEGAL DESCRIPTION - PARCEL 829-B:

That easement being a portion of land in Tract 9 of CIVIC CENTER SECTION ONE, a subdivision lying in the NE ¼ of the SW ¼ of Section 35, Township 53 South, Range 41 East, according to the plat thereof as recorded in Plat Book 75 at Page 36 of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:
BEGINNING at the point of intersection of the southwesterly line of said Tract 9 with the Existing Limited Access Right of Way Line lying southeasterly of S.R. 836 as per F.D.O.T. Right of Way Map for Section 87200-2505; thence run N65°50'57"E, along said Existing Limited Access Line, for a distance of 2.21 feet to the point of intersection with the southwesterly right of way line of NW North River Drive, coincident with the northeasterly line of said Tract 9, said point being on a circular curve concave to the northeast; thence run southeasterly along said circular curve also being the southwesterly right of way line of NW North River Drive and northeasterly line of said Tract 9, having a radius of 828.31 feet through a central angle of 00°42'18" subtending a 10.19 foot chord which bears S64°00'10"E, for an arc distance of 10.19 feet to the point of intersection with the southeasterly line of the herein described easement, thence run S65°50'57"W, along said easement line, for a distance of 2.89 feet to the point of intersection with the southwesterly line of said Tract 9; thence run N60°57'51"W, along the southwesterly line of Tract 9, for a distance of 9.77 feet to the POINT OF BEGINNING.

Containing an area of 20 square feet, more or less.

GENERAL NOTES:

1. This Sketch is Not a Survey.
2. Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
3. Bearings and coordinates are relative to the State Plane Coordinates System, Florida East Zone, Traverse Mercator Projection, North American Datum (NAD83) 1983 adjustment 2007 and are based on a PNC Project Baseline bearing of N 03°42'37" W being established between FDOT monuments:
PNC02 stamped 87 11 PNC02 (N 526779.1510, E 919562.7520) and
PNC04 stamped 87 11 PNC04 (N 528164.0790, E 919472.9400)
and therefrom a bearing of N 87°51'13" E along the Monument Line of NW 12th Street between NW 12th AVENUE and NW 13th AVENUE.
4. Addition and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
5. Prepared for MIAMI-DADE EXPRESSWAY AUTHORITY.
6. Date Prepared: October 27th, 2014.

3/12/15
JOSE L. SANFIEL, DATE
PROFESSIONAL LAND SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5636

THIS DOCUMENT CONSISTS OF THREE (2) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER. THIS IS NOT A SURVEY

PARCEL REDUCED	T.MOREJON	03-12-2015
REVISION	BY	DATE

MIAMI-DADE EXPRESSWAY AUTHORITY

LEGAL DESCRIPTION-PARCEL 829-B

STATE ROAD NO. 836 — MIAMI-DADE COUNTY

	BY	DATE
DRAWN	T.MOREJON	02-03-2015
CHECKED	A.TOIRAC	02-03-2015

PREPARED BY: CH PERRY & ASSOCIATES CONSULTING ENGINEERS, INC. 0304 NW 4th STREET, SUITE 201, DORAL FL 33178 TEL: 305-592-1070 / FAX: 305-592-1070 LB 7360

DATA SOURCE: SEE GENERAL NOTES

Proj. NO. 83611 — SECTION 87200 — SHEET 1 OF 2

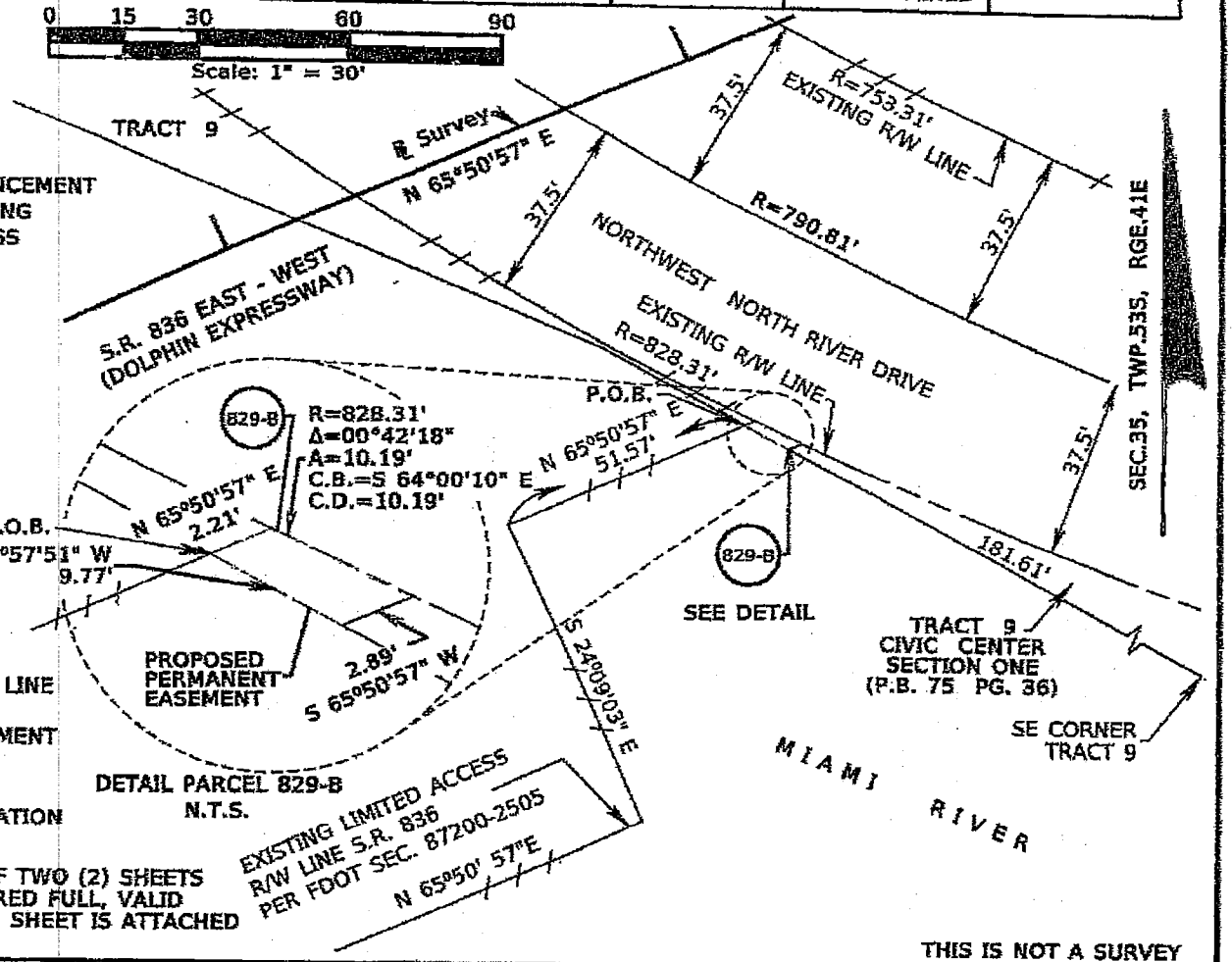
Jezamora 3/12/2015 3:22:54 PM Z:\MDX\83611.15\RIGHT-WAY MAP - (CHARGE CONSTRUCTION EASEMENT)\RWMAP\PARCELS\PS 829-B\RWP829-B.dgn

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
829-B	MIAMI-DADE COUNTY GSA R/E MGMT	20 SF	UNDETERMINED	

LEGEND:

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
S.R. = STATE ROAD
℄ = CENTERLINE
℄ = BASELINE
℄ = PROPERTY LINE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
LB = LICENSED BUSINESS
R = RADIUS
A = CURVE LENGTH
Δ = DELTA
CD = CHORD DISTANCE
CB = CHORD BEARING
N/A = NOT APPLICABLE
PG. = PAGE
P.B. = PLAT BOOK
L/A = LIMITED ACCESS
R/W = RIGHT OF WAY
SEC. = SECTION
TWP. = TOWNSHIP
RGE. = RANGE
SF = SQUARE FEET
PROJ. = PROJECT
No. = NUMBER
= EXISTING L/A R/W LINE
= PROPOSED PERMANENT EASEMENT
2 = BLOCK NUMBER
829-B = PARCEL IDENTIFICATION NUMBER

0 15 30 60 90
Scale: 1" = 30'



DETAIL PARCEL 829-B
N.T.S.

THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

THIS IS NOT A SURVEY

MIAMI-DADE EXPRESSWAY AUTHORITY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

REVISION	BY	DATE
PARCEL REDUCED	T.MOREJON	03-12-2015

	BY	DATE
DRAWN	T.MOREJON	02-03-2015
CHECKED	A. TORRAC	02-03-2015

STATE ROAD NO. 836

MIAMI DADE COUNTY

PREPARED BY: CH PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC. 8350 NW 52ND STREET, SUITE 201, DORAL, FL 33166 TEL: 305-599-3970 / FAX: 305-592-1878 LB 7360

DATA SOURCE: SEE GENERAL NOTES

F.P. NO. 83611

SECTION 87200

SHEET 2 OF 2

$USERS $DATES $TIMES $FILES

LEGAL DESCRIPTION - PARCEL 705-A:

That easement being a portion of land in tract 9 of "CIVIC CENTER SECTION" ONE, a subdivision lying in the NE ¼ of the SW ¼ of Section 35, Township 53 South, Range 41 East, according to the plat thereof as recorded in Plat Book 75 at Page 36 of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:
COMMENCE at the point of intersection of the Southwesterly line of said Tract 9 with the Existing Limited Access Right of Way Line lying northwesterly of S.R. 836 as per F.D.O.T. Right of Way Map for Section 87200-2505; thence run N67°36'41"W along the southwesterly line of said Tract 9, for a distance of 10.86 feet to the POINT OF BEGINNING of the hereinafter described easement; thence continue N67°36'41"W, along the southwesterly line of said Tract 9, for a distance of 23.58 feet to the point of intersection with the northwesterly line of the herein described easement, thence run N65°50'57"E, along said easement line, for a distance of 50.76 feet to the point of intersection with the southwesterly right of way line on NW North River Drive, said point being on a circular curve concave to the northwest; thence run southeasterly along said circular curve also being the southwesterly Right of Way line of NW North River Drive, having a radius of 828.31 feet through a central angle of 01°19'04" subtending a 19.05 foot chord which bears S 50°10'48"E, for an arc distance of 19.05 feet to the point of intersection with the southeasterly line of the herein described easement; thence run S65°50'57"W, along said southeasterly line of the herein described easement, for a distance of 42.90 feet to the point of intersection with the southwesterly line of said Tract 9 and the POINT OF BEGINNING.
Containing an area of 801 square feet, more or less.

GENERAL NOTES:

1. This Sketch is Not a Survey.
2. Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
3. Bearings and coordinates are relative to the State Plane Coordinates System, Florida East Zone, Traverse Mercator Projection, North American Datum (NAD83) 1983 adjustment 2007 and are based on a PNC Project Baseline bearing of N 03°42'37" W being established between FDOT monuments:
PNC02 stamped 87 11 PNC02 (N 526779.1510, E 919562.7520) and
PNC04 stamped 87 11 PNC04 (N 528164.0790, E 919472.9400)
and therefrom a bearing of N 87°51'13" E along the Monument Line of NW 12th Street between NW 12th AVENUE and NW 13th AVENUE.
4. Addition and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
5. Prepared for MIAMI-DADE EXPRESSWAY AUTHORITY.
6. Date Prepared: October 27th, 2014.

3/11/15

JOSE L. SANFIEL, DATE
PROFESSIONAL LAND SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5636

THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

THIS IS NOT A SURVEY

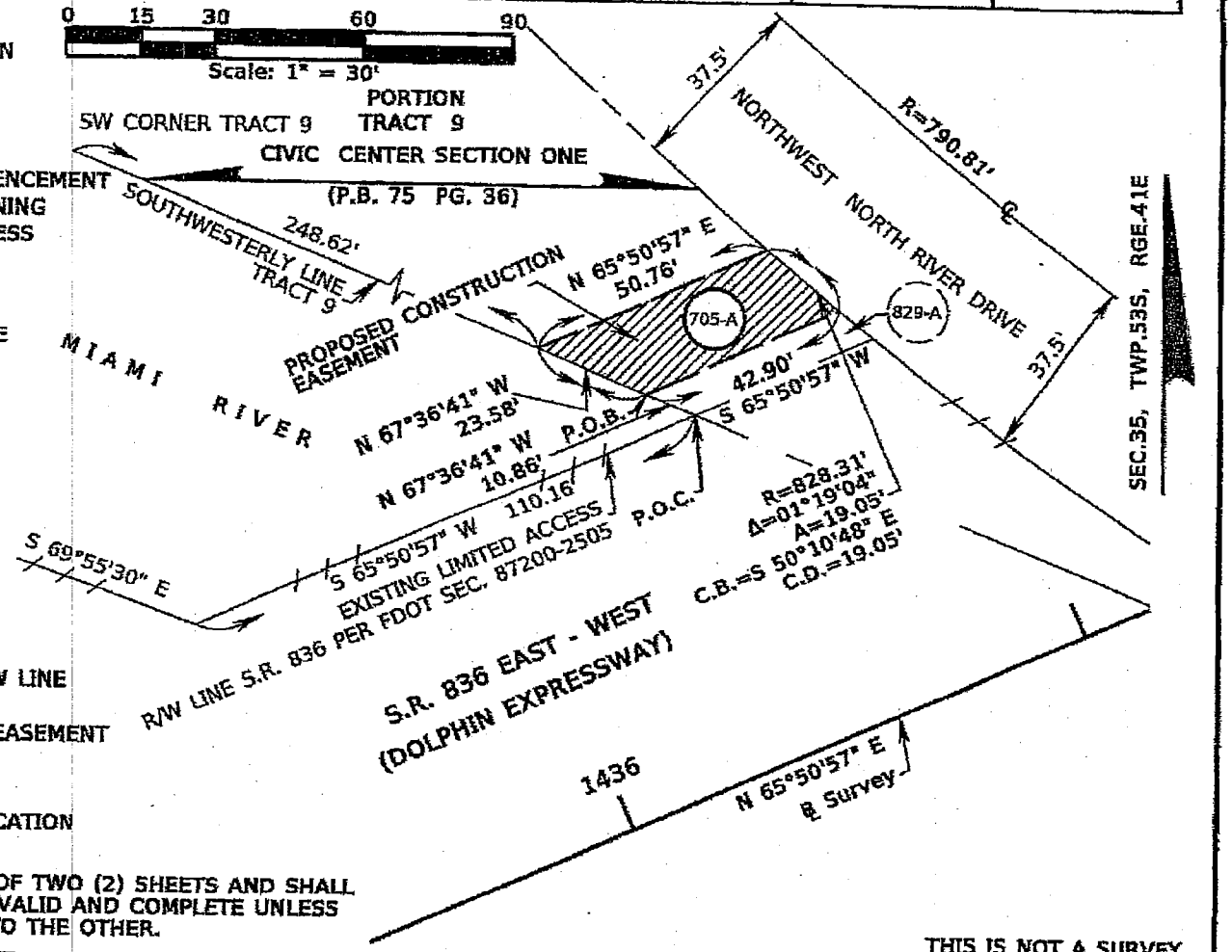
			MIAMI-DADE EXPRESSWAY AUTHORITY LEGAL DESCRIPTION-PARCEL 705-A				
			STATE ROAD NO. 836			MIAMI-DADE COUNTY	
				BY	DATE	PREPARED BY: CH PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC.	DATA SOURCE: SEE GENERAL NOTES
700's REDUCED	T.MOREJON	03-04-2015	DRAWN	T.MOREJON	02-03-2015		
REVISION	BY	DATE	CHECKED	A.TOIRAC	02-03-2015	Proj. NO. 83611 SECTION 87200	SHEET 1 OF 2
$USER$		$DATE$	$TIME$		$FILE$		

EXHIBIT 2

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
705-A	MIAMI-DADE COUNTY GSA R/E MGMT	801 SF	UNDETERMINED	

LEGEND:

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
S.R. = STATE ROAD
℄ = CENTERLINE
℄ = BASELINE
℄ = PROPERTY LINE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
LB = LICENSED BUSINESS
R = RADIUS
A = CURVE LENGTH
Δ = DELTA
CD = CHORD DISTANCE
CB = CHORD BEARING
N/A = NOT APPLICABLE
PG. = PAGE
P.B. = PLAT BOOK
R/W = RIGHT OF WAY
L/A = LIMITED ACCESS
SEC. = SECTION
TWP. = TOWNSHIP
RGE. = RANGE
SF = SQUARE FEET
PROJ. = PROJECT
No. = NUMBER
= EXISTING L/A R/W LINE
= PROPOSED CONSTRUCTION EASEMENT
(2) = BLOCK NUMBER
(705-A) = PARCEL IDENTIFICATION NUMBER



THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

THIS IS NOT A SURVEY

MIAMI-DADE EXPRESSWAY AUTHORITY
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

REVISION	BY	DATE
700's REDUCED	T.MOREION	03-04-2015

STATE ROAD NO. 836 — MIAMI DADE COUNTY

	BY	DATE
DRAWN	T.MOREION	02-03-2015
CHECKED	A. TOIRAC	02-03-2015

PREPARED BY: [illegible]

DATA SOURCE: SEE GENERAL NOTES

F.P. NO. 83611 — SECTION 87200 — SHEET 2 OF 2

LEGAL DESCRIPTION - PARCEL 705-B:

That easement being a portion of land in Tract 9 of CIVIC CENTER SECTION ONE, a subdivision lying in the NE ¼ of the SW ¼ of Section 35, Township 53 South, Range 41 East, according to the plat thereof as recorded in Plat Book 75 at Page 36 of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:
COMMENCE at the point of intersection of the southwesterly line of said Tract 9 with the Existing Limited Access Right of Way Line lying southeasterly of S.R. 836 as per F.D.O.T. Right of Way Map for Section 87200-2505; thence run S60°57'51"E, along the southwesterly line of said Tract 9, for a distance of 9.77 feet to the point of intersection with the northwesterly line of the herein described easement, also being the POINT OF BEGINNING of the hereinafter described easement; thence run N65°50'57"E, along the northwesterly line of the herein described easement, for a distance of 2.89 feet to the point of intersection with the southwesterly right line of NW North River Drive, coincident with the northeasterly line of said Tract 9, said point being on a circular curve concave to the northeast; thence run southeasterly along said circular curve also being the southwesterly right of way line of NW North River Drive, having a radius of 828.31 feet through a central angle of 01°34'27"subtending a 22.75 foot chord which bears S65°08'33"E, for an arc distance of 22.76 feet to the point of intersection with the southeasterly line of the herein described easement, thence run S65°50'57"W, along said southeasterly line of the herein described easement, for a distance of 4.96 feet to the point of intersection with the southwesterly line of said Tract 9; thence run N60°57'51"W, along the southwesterly line of Tract 9, for a distance of 21.45 feet to the point of intersection with the northwesterly line of the herein described easement, and the POINT OF BEGINNING.
Containing an area of 66 square feet, more or less.

GENERAL NOTES:

1. This Sketch is Not a Survey.
2. Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
3. Bearings and coordinates are relative to the State Plane Coordinates System, Florida East Zone, Traverse Mercator Projection, North American Datum (NAD83) 1983 adjustment 2007 and are based on a PNC Project Baseline bearing of N 03°42'37" W being established between FDOT monuments:
PNC02 stamped 87 11 PNC02 (N 526779.1510, E 919562.7520) and
PNC04 stamped 87 11 PNC04 (N 528164.0790, E 919472.9400)
and therefrom a bearing of N 87°51'13" E along the Monument Line of NW 12th Street between NW 12th AVENUE and NW 13th AVENUE.
4. Addition and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
5. Prepared for MIAMI-DADE EXPRESSWAY AUTHORITY.
6. Date Prepared: October 27th, 2014.

3/12/15

JOSE L. SANFIEL, DATE
PROFESSIONAL LAND SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5636

THIS DOCUMENT CONSISTS OF THREE (2) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER. THIS IS NOT A SURVEY

PARCEL ENLARGED	T.MOREJON	03-12-2015
700's REDUCED	T.MOREJON	03-04-2015
REVISION	BY	DATE

MIAMI-DADE EXPRESSWAY AUTHORITY

LEGAL DESCRIPTION-PARCEL 705-B

STATE ROAD NO. 836 . MIAMI-DADE COUNTY

	BY	DATE
DRAWN	T.MOREJON	02-03-2015
CHECKED	A.TOIRAC	02-03-2015

PREPARED BY: CH PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC. 6194 NW 6TH STREET, SUITE 201, DORAL FL 33126 TEL: 305-592-1070 / FAX: 305-592-1078 LB 7967

DATA SOURCE: SEE GENERAL NOTES

Proj. NO. 83611 SECTION 87200 SHEET 1 OF 2

jazamora 3/12/2015 3:23:18 PM Z:\HDX\83611.131\RIGHT-WAY MAP - (CHANGE CONSTRUCTION EASEMENT)\RWMAP\PARCELS\PS 705-B\RWPS705-B.dwg

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
705-B	MIAMI-DADE COUNTY GSA R/E MGMT	66 SF	UNDETERMINED	

LEGEND:

FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
S.R. = STATE ROAD
℄ = CENTERLINE
℄ = BASELINE
℄ = PROPERTY LINE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
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No. = NUMBER
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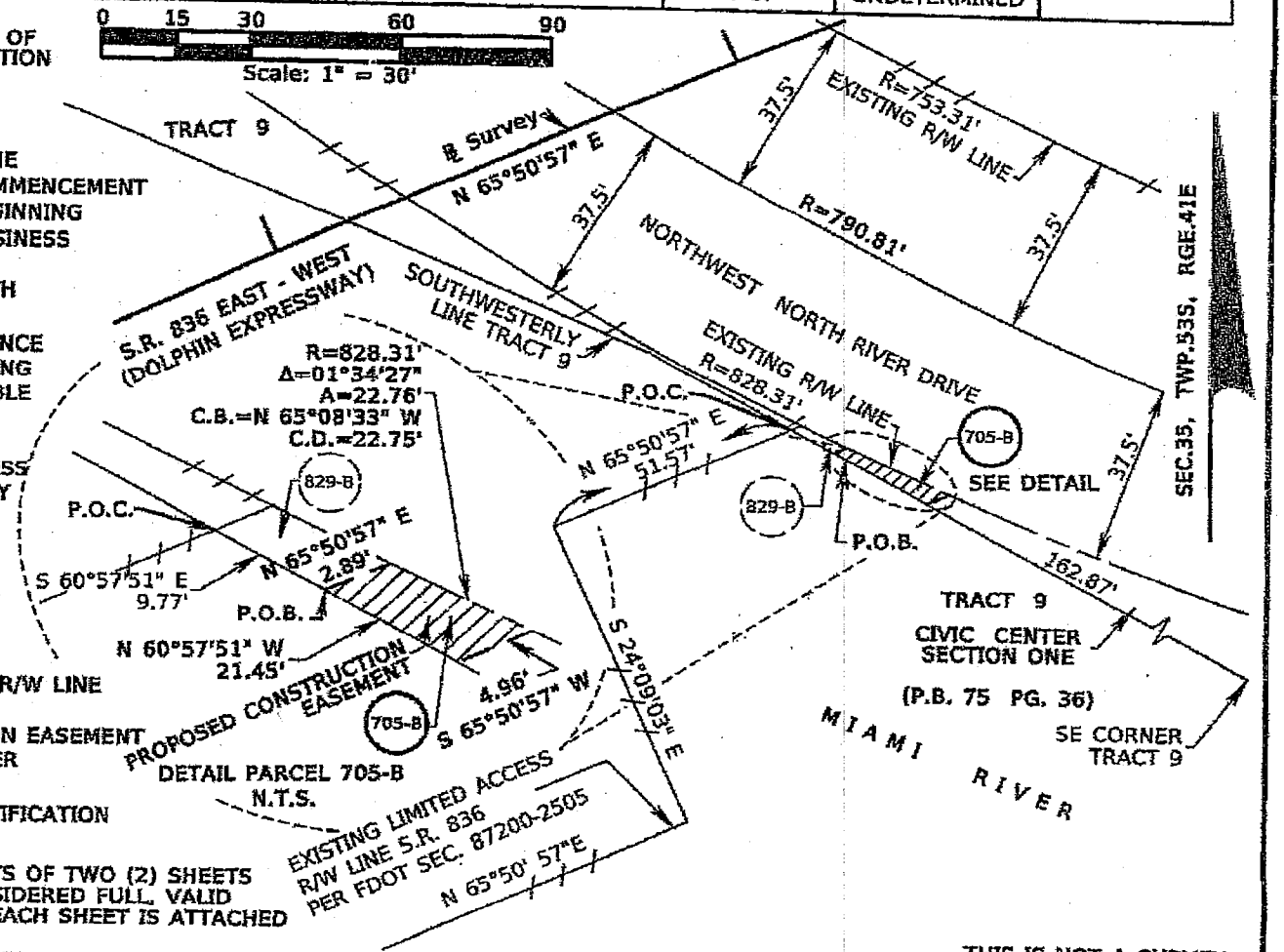
= PROPOSED CONSTRUCTION EASEMENT
2 = BLOCK NUMBER
705-B = PARCEL IDENTIFICATION NUMBER



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MIAMI-DADE EXPRESSWAY AUTHORITY
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

REVISION	BY	DATE
PARCEL ENLARGED	T.MOREJON	03-12-2015
700's REDUCED	T.MOREJON	03-04-2015

STATE ROAD NO. 836 — MIAMI DADE COUNTY

	BY	DATE
DRAWN	T.MOREJON	02-03-2015
CHECKED	A. TOIRAC	02-03-2015

PREPARED BY: CH PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC.

DATA SOURCE: SEE GENERAL NOTES

F.P. NO. 83611 — SECTION 87200 — SHEET 2 OF 2

3/12/2015 3:33:01 PM

River Landing
MIAMI



MIAMI River Landing





MIAMI

River Landing



MIAMI River Landing

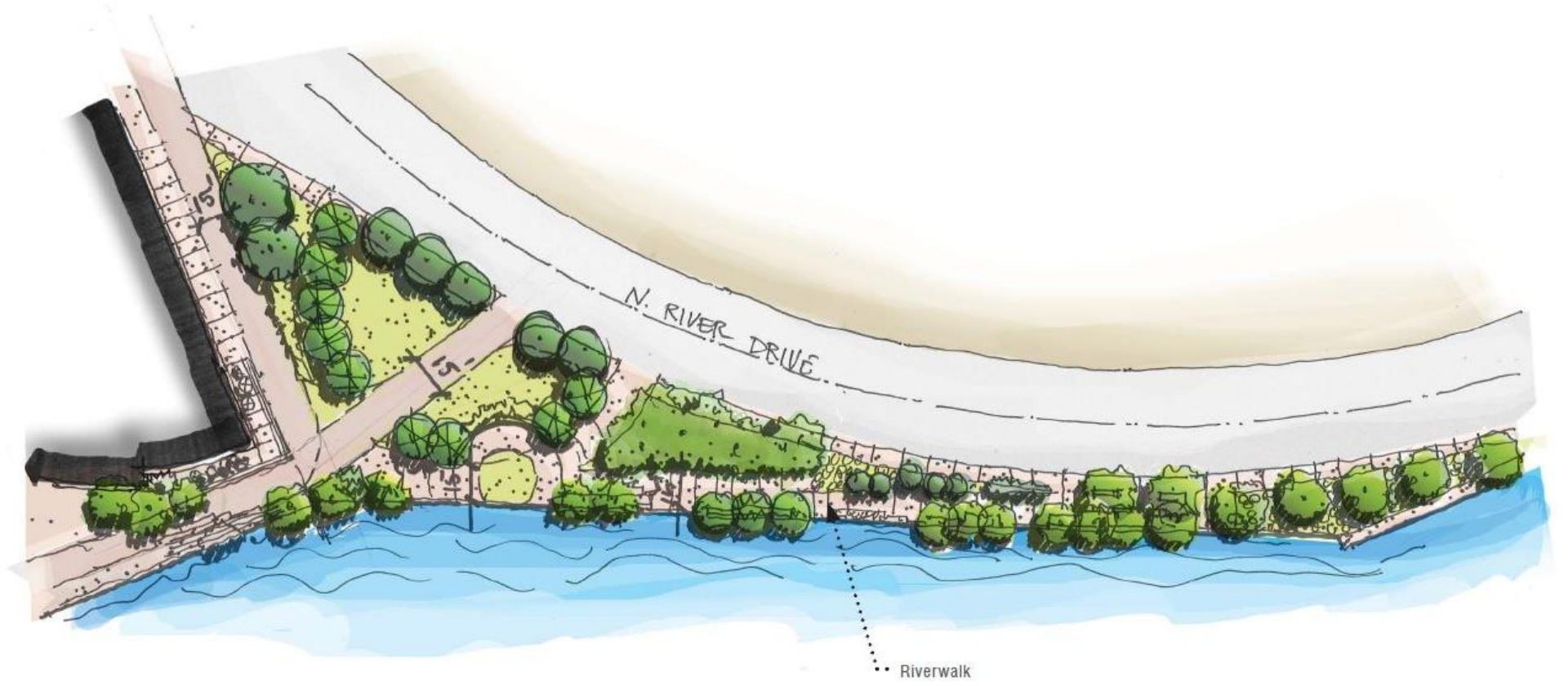


MIAMI River Landing



MIAMI River Landing




N. RIVER DRIVE
15'
15'
Riverwalk

City of Miami, Florida

WIFREDO (WILLY) GORT
COMMISSIONER - DISTRICT 1

CITY HALL
3500 PAN AMERICAN DRIVE
MIAMI, FLORIDA 33133
(305) 250-5430
FAX (305) 250-5456

Mr. Jack Osterholt
Regulatory and Economic Resources Department
Stephen P Clark Center
111 NW 1st Street, Suite 1900
Miami, FL 33128

Dear Mr. Osterholt,

I am writing this letter today as an advocate of the River Landing Project. I strongly support this project. This is the first project in the Allapattah area where a developer has made a significant investment in bringing a large scale retail and entertainment venue into this area.

Though the years, the Allapattah area has been used for jails, drug rehabilitation centers as well as homeless centers. This is the first project where Miami-Dade County can assist in assuring a game changer for the Allapattah area, Jackson Memorial Hospital and the Health District/Civic Center.

We need to support developers that are willing to invest their money to bring development project to this needed and well deserved area. In addition, the River Landing Project will enhance the ability of Jackson Memorial Hospital to attract workers to live where they work, as well as, make it a more attractive place for patients and visitors to use the best hospital in Florida.

I hope that you will support this project in its entirety.

Sincerely,

Wifredo (Willy) Gort
Chairman, City of Miami
Commissioner, District 1

WG/rrk

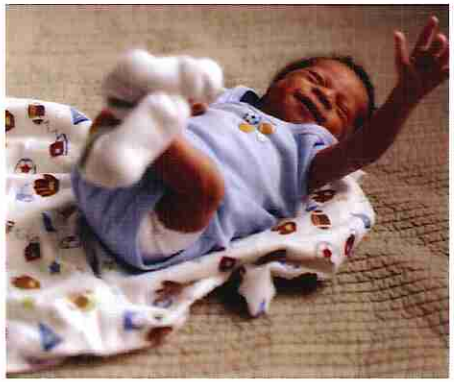
cc: Mayor Carlos Gimenez
Commissioner Bruno Barriero
Mr.Larry K. Willams
Mr. Steve Beatus
Mr. Andrew Hellinger ✓



MIAMI River Landing

- estimated 2.2 Million sf of development.
- approx. 426,000 retail and restaurants (7 national anchors)
- approx. 500 residential apartment units
- 8.14 acres
- Estimated to create 980 permanent jobs whose estimated impact is $27.6 million annually
- Creates 1,025 man years of construction labor or impact of $57 million
- Total Public Infrastructure estimated at $38.5 Million
- Located in an Enterprise Zone and Brownsfield Zone

LOTUS HOUSE IS MORE THAN SHELTER FROM THE STORM



Trauma in families and children has a definite cost that can be life long. Research shows that trauma negatively impacts memory, concentration and learning in children, especially those at greatest risk in our communities. Unresolved trauma can cause depression, anxiety, aggression, withdrawal or self-destructive, even suicidal, behaviors in our young ones. Studies indicate that homeless children:



- Are sick at twice the rate of other children
- Go hungry twice as often as non-homeless children
- Experience twice the rate of learning disabilities and are twice as likely to repeat a grade
- Have three times the rate of emotional and behavioral problems of non-homeless children

Most homeless mothers have a history of trauma themselves, often dating back to their childhoods. Homelessness itself is another layer of trauma for mothers and children, and yet, there is hope. The latest research indicates that it is possible to break the cycle of childhood abuse, domestic violence and homelessness with life changing support, tools, education and resources that heal broken bodies, minds and spirits. Mothers provided with evidence-based trauma-resolution therapy and strong supportive parenting skills can positively impact everything from their child's chances of high school graduation to their success in the work force as adults.

Lotus House is committed to providing child and family centered services that promote trauma resolution in both children and mothers. Families benefit from evidence-based child therapy, dyadic parent/child therapy and parenting education to build the foundation for a safe, secure and better way of life. In addition to these critical components to healing, Lotus House offers a wide range of other programs and services that are needed.



This isn't about second chances it's about the *very first* and the future.



In a supportive and nurturing environment, our families are afforded a safe haven and an opportunity to learn and grow on every level. Mothers and babies receive much needed supplies like formula, diapers, bottles, blankets, and maternity and infant clothing. Our shared apartments include cribs, changing tables, kitchens equipped with child safety features, and toys. Lush gardens and a "baby and me" play center offer children and moms alike a safe environment in which to bond, play and find peace together.



In addition to free shelter, clothing, and nourishing meals, Lotus House provides coordinated, multi-faceted, wrap-around support services, arranging pre-natal care, birthing and parenting classes, access to life saving medications, infant mental health screening, and medical and mental health treatment. Counselors serve as advocates to ensure every family receives social services and benefits essential to their new start to happy and healthy lives. Our job readiness training programs and employment specialist assist mothers in re-entering the work world after babies are born, learning how to juggle their new roles, and saving their nest egg for their future transition to permanent homes.

When families are ready to move, Lotus House Thrift helps them get settled in their new homes with donated furnishings, linens, dishes and kitchen necessities, as well as special needs items for babies like cribs, strollers, car seats, and more. Lotus House continues to serve as a resource to provide stability to these new families long after their successful completion.

In holistic child and family centered programming and support services, Lotus House helps these special women and their children emerge from the shadows, give voice to their dreams and aspirations, and become who they are meant to be. Your support truly makes hope blossom!



Contact us to learn more about how we can make a difference together.

Give the gift of life at Lotus House and transform the future for generations to come.

- $25 provides 10 nutritious meals for a woman sheltered at Lotus House
- $50 provides a new diaper bag, blanket, bottles, and essential baby supplies for a Lotus House newborn
- $100 provides a bassinet to cradle one of our littlest infants
- $150 provides the all important stroller and car seat needed to bring a baby home from the hospital
- $250 provides a convertible crib/toddler bed, mattress and cuddly linens
- $500 helps cover the cost of school uniforms, shoes, transportation assistance, books, school supplies and related costs for a young woman striving to complete her educational or vocational goals while at Lotus House
- $1,000 helps cover the cost of shelter, meals, counseling, job readiness training, social services support, and educational and enrichment activities for one woman sheltered at Lotus House for an entire month

MAKE LIFE YOUR LEGACY!

Become a Founder of Lotus House by giving to Lotus Endowment Fund, Inc., a supporting foundation for Lotus House. Learn more about our giving levels and legacy gifts at www.lotusendowmentfund.org



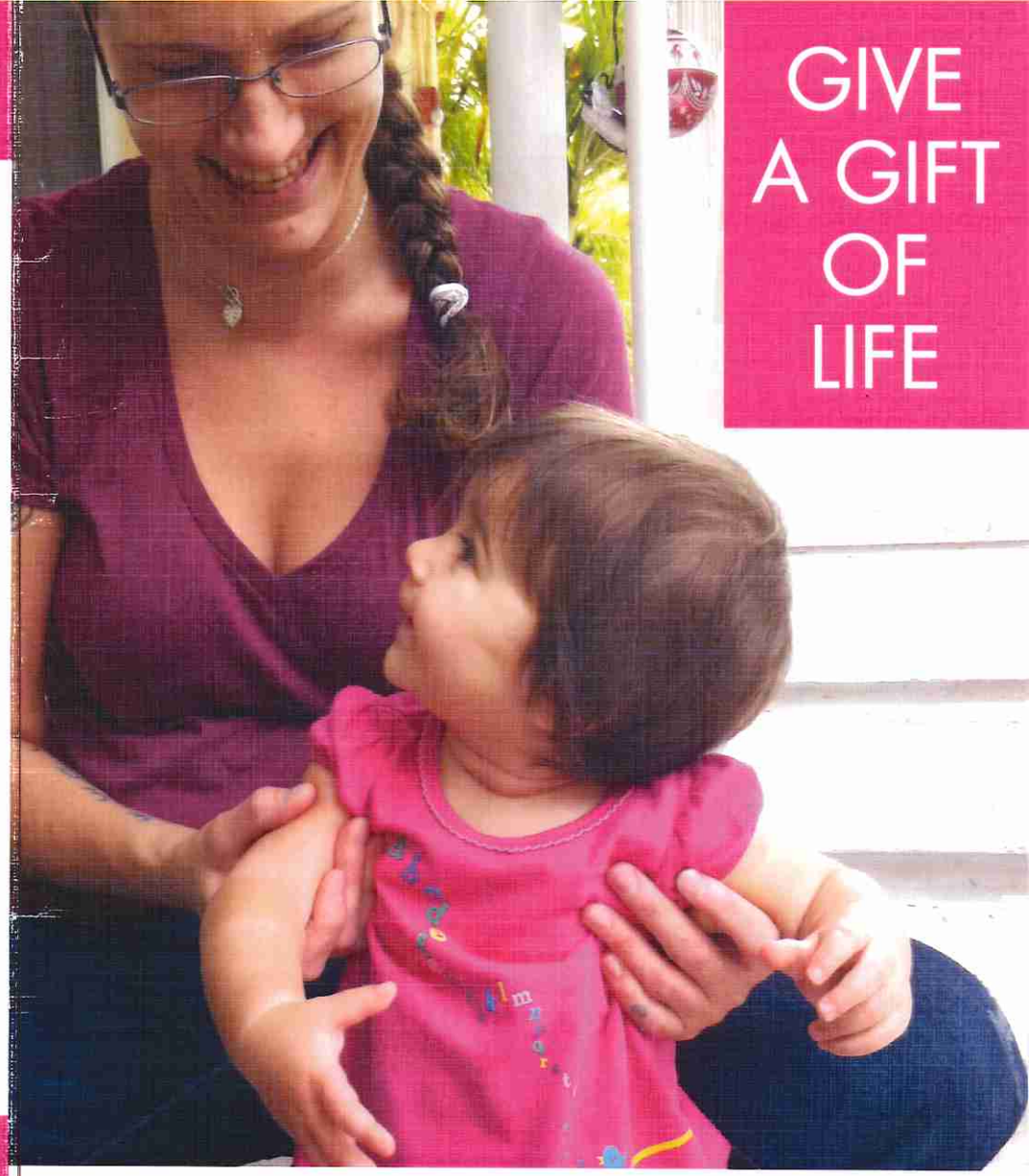
Lotus House is operated by the Sundari Foundation, Inc., a non denominational, 501c3 public charity dedicated to the support, education, advancement and social inclusion of poor, disadvantaged, homeless and distressed women and children.

Sundari Foundation, Inc., dba Lotus House Women's Shelter,
1514 NW 2nd Avenue, Miami, Florida 33136
305-438-0556 www.lotushouseshelter.org

Constance Collins, President & Executive Director
president@lotushouseshelter.org
305.613.1573

Anna Frusciante, Director
anna@lotushouseshelter.org
305.812.3840

Donations to the foundation and its endowment are deductible to the full extent permitted by section 501c3 of the internal revenue code. (foundation tax id #81-0652266; endowment tax id #92-0233563). A copy of the official registration and financial information (foundation ID#17660, endowment ID#31175) filed with the state of Florida may be obtained from the division of consumer services by calling toll free 800-435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.



GIVE A GIFT OF LIFE

Break the cycle of childhood abuse, domestic violence, and homelessness with a gift of life changing support, tools, education and resources that heal broken bodies, minds and spirits.

Lotus House where hope blossoms
sundari foundation, inc.

Policy Committee:
Governor of State of Florida
Mr. Rick Scott
Designee: Ms. Patricia Harris

Chair of Miami-Dade Delegation
Representative Eddy Gonzalez
Designee: Rep. Jose Javier Rodriguez

Chair of Governing Board of South Florida Water Management District
Mr. Daniel O'Keefe
Designee: Ms. Sandy Batchelor

Miami-Dade State Attorney
Ms. Katherine Fernandez-Rundle
Designee: Mr. Gary Winston

Mayor of Miami-Dade County
Mayor Carlos Gimenez
Designee: Mr. Frank Balzebre

Mayor of Miami
Mayor Tomas Regalado

City of Miami Commissioner
Commissioner Frank Carollo

Miami-Dade County Commissioner
Commissioner Bruno Barreiro
Designee: Ms. Marlene Avalo

Chair of Miami River Marine Group
Mr. Richard Dubin
Designee: Mr. Orin Black

Chair of Marine Council
Mr. Ed Swakon
Designee: Mr. Phil Everingham

Executive Director of Downtown Development Authority
Ms. Alyce Robertson
Designee: Mr. Javier Betancourt

Chair of Greater Miami Chamber of Commerce
Mr. Barry Johnson
Designee: Ms. Megan Kelly

Neigborhood Representative Appointed by City of Miami Commission
Dr. Ernest Martin

Neigborhood Representative Appointed by Miami-Dade Commission
Ms. Sallye Jude
Designee: Ms. Jane Caporelli

Representative from Environmental or Civic Organization Appointed by the Governor
Mr. Horacio Stuart Aguirre

Member at Large Appointed by the Governor
Mr. Jay Carmichael

Member at Large Appointed by Miami-Dade Commission
Ms. Sara Babun
Designee: Mr. Christian Larach

Member at Large Appointed by City of Miami Commission
Mr. Manny Prieguez

Managing Director
Mr. Brett Bibeau

Miami River Commission



c/o Robert King High
1407 NW 7th Street, Suite D
Miami, Florida 33125
Office: (305) 644-0544
Fax: (305) 642-1136
email: miamiriver@bellsouth.net
www.miamirivercommission.org

June 30, 2015

Re: Recommendation for Approval of BCC Agenda Item 11A2

Dear Honorable Commissioner:

This letter serves as the Miami River Commission's (MRC) official statement required under Board of County Commissioner's Resolution R-156-99, for the June 30, 2015 Agenda Item 11A2, which impacts the Miami River.

During the Miami River Commission's June 2, 2014 public meeting, Mr. Robert Warren, Miami-Dade County, and Mr. Andrew Hellinger, River Landing, presented agenda item, "II. Consideration of Draft Agreement Between "River Landing" (1500 NW North River Drive) and Miami-Dade County to Construct and Maintain a Connecting Public Riverwalk and Greenspace at adjacent 1280 NW 11 ST". The Miami River Commission adopted a motion to support MRC Greenways subcommittee Chairman Martin's and MRC Urban Infill subcommittee Chairman Murley's recommendations to approve Miami-Dade County's draft County Deed, to construct and maintain a connecting public riverwalk and public park at 1280 NW 11 ST.

Your continued support for the Miami River District is appreciated.

Sincerely,

Horacio Stuart Aguirre

Horacio Stuart Aguirre
Chairman,
Miami River Commission

11A2

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 6/30/15 BCC Mtg. Date: _____ Agenda Item#: 11 A2

Subject: ~~Homeless~~ River Landing Park

Name: Brett Bibeau

Address: 1407 NW 7ST, STE D

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☒ Yes ☐ No

If yes, please list name: Miami River Commission

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2015

Supplement to
Agenda Item No. 11(A)2

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Supplemental Information to Resolution Declaring as Surplus a County-Owned Property Located at 1280 NW 11 Street, Miami, Florida

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This report provides the Board of County Commissioners (Board) with supplemental information on the resolution that declares a County-owned property at 1280 NW 11 Street as surplus and further authorizes its conveyance to the River Landing Foundation (Foundation). The report also serves to provide information requested by various Board members during previous discussions of the resolution.

Supplemental Information for Board Consideration

In accordance with Resolution No. R-333-15, the market value of the property was determined under different scenarios, as follows:

1) The market value set forth in the Property Appraiser's website is $1,826,253.

2) One (1) independent appraisal was prepared by a Member of the Appraisal Institute (MAI) under the hypothetical condition that a restrictive covenant was in place, limiting the use of the site for a public park to enhance the river frontage along the Miami River, allowing public fairs and shows for no more than a total of 30 days per year, and requiring the developer to expend approximately $4,000,000 in greenway and seawall improvements. Under such restrictions and conditions, the market value of the property was estimated at $735,000.

3) Two (2) additional independent, MAI appraisals were prepared based upon the highest and best use, without development restrictions. The estimates of value in these two (2) appraisals based upon highest and best use were $4,900,000 and $2,950,000. It should be noted that the maximum development of a commercial use at this property could be reduced slightly because of an additional new lane of S.R. 836 being built at this location.

The Foundation will be required to spend a minimum of approximately $4,000,000 for the greenway and seawall improvements, which is in the middle of the range of values at the property's highest and best use and greatly exceeds the value in light of the actual use under the restrictions set forth in the Declaration of Restrictions.

As explained previously, subsequent to the resolution's discussion at committee, the County became aware of the Miami Dade Expressway Authority's (MDX) need to acquire additional land at this property in order to comply with its plans to widen S.R. 836 at this location, which requires permanent and temporary construction easements (encompassing a total of approximately 25 feet in width on each side of S.R. 836). Therefore, the item will need to be amended to revise the legal description on the County Deed attached to the resolution so that the necessary easements for MDX are excluded. Such easements will be reserved by the County to allow for future conveyance to MDX in order for MDX to construct its roadway expansion project.

Response to Inquiries

For the Boards' reference, the Internal Services Department circulated the property to all County departments to determine whether the County has a present or future need for the property, in which none was determined. The property was formerly used as a small surface parking lot in poor condition containing 40 spaces, and is no longer needed by the County.

Additionally, the Foundation requested that the property be conveyed by deed, rather than leased, because the cost of the improvements that the Foundation is required to expend is over five (5) times the appraised value of the property under the use to which it is restricted pursuant to the Declaration of Restrictions.

Furthermore, the County seeks to expedite the completion of the project, particularly since the property is in disrepair due to a partially deteriorated seawall. The Foundation will be coordinating the seawall construction at the property with the seawall construction of the River Landing Development Company commercial project to the west and will hopefully be able to achieve some time and cost savings by unifying both projects under one contractor. Conveyance rather than lease may alleviate the necessity of obtaining separate approvals from the Federal, State, County and City governments that will be required if the County remained the owner of the property.

Edward Marquez
Deputy Mayor

MEMORANDUM

Agenda Item No. 11(A)(4)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing the Mayor to apply for Miami-Dade County to be designated as a participating community of "Cities for Citizenship"; develop and implement a plan to launch an initiative in Fiscal Year 2015-2016 that will promote increasing the number of legal permanent residents in Miami-Dade County who apply for citizenship; identify and utilize legally available funding sources in the Fiscal Year 2014-2015 County Budget to launch a publicity campaign during "National Citizenship Month" to raise awareness about the initiative; submit a status report

This item was amended at the 6-11-15 Economic Prosperity Committee to indicate that: (1) the 96 citizenship clinics will now be held countywide rather than once a month at each of eight Community Action and Human Services' Neighborhood Service Centers; (2) the Mayor or Mayor's designee is no longer directed to include offering "scholarships" for up to half of the citizenship application fee in the portion of the Citizenship Initiative plan that relates to providing incentives to eligible County employees to apply for citizenship; (3) the provision relating to swearing-in ceremonies for new citizens now states that Miami-Dade County will support those ceremonies rather than host them; (4) Section 4, which directed the Mayor or Mayor's designee to include a plan to fund the implementation of the Citizenship Initiative in the proposed Fiscal Year 2015-2016 County budget, has been removed; and (5) the item's title has been amended to reflect the removal of Section 4.

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Daniella Levine Cava and Chairman Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

/

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(4)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(4)
6-30-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR MIAMI-DADE COUNTY TO BE DESIGNATED AS A PARTICIPATING COMMUNITY OF "CITIES FOR CITIZENSHIP"; DEVELOP AND IMPLEMENT A PLAN TO LAUNCH AN INITIATIVE IN FISCAL YEAR 2015-2016 THAT WILL PROMOTE INCREASING THE NUMBER OF LEGAL PERMANENT RESIDENTS IN MIAMI-DADE COUNTY WHO APPLY FOR CITIZENSHIP; IDENTIFY AND UTILIZE LEGALLY AVAILABLE FUNDING SOURCES IN THE FISCAL YEAR 2014-2015 COUNTY BUDGET TO LAUNCH A PUBLICITY CAMPAIGN DURING "NATIONAL CITIZENSHIP MONTH" TO RAISE AWARENESS ABOUT THE INITIATIVE; SUBMIT A STATUS REPORT

WHEREAS, there are over 8.8 million immigrants in the United States that are currently eligible to become citizens; and

WHEREAS, 1.17 million of the nation's legal permanent residents reside in Florida, and approximately 494,000 reside in Miami-Dade County; and

WHEREAS, a recent study conducted by the Pew Hispanic Center found that roughly one-third of immigrants eligible to naturalize fail to do so for various reasons including, but not limited to, the cost and complexity of the citizenship process; and

WHEREAS, naturalization provides benefits to legal permanent residents by providing them with full civil and political rights, protection against deportation, easier travel abroad, and full access to government jobs and assistance; and

WHEREAS, recent research from the Center for the Study of Immigrant Integration has also found that immigrants who become citizens typically see an increase in earnings of 8% to 11%; and

WHEREAS, this research suggests that a targeted initiative to reach out to and assist the 494,000 Miami-Dade County residents that are eligible for citizenship could provide a significant boost to our local economy; and

WHEREAS, by way of example, if only half of the currently eligible residents in Miami-Dade County became citizens, an estimated $2.5 billion to $3.2 billion could be added to our local economy over the next five years; and

WHEREAS, Cities for Citizenship is a collaboration co-chaired by the Mayors of Chicago, Los Angeles, and New York that was established to promote large-scale naturalization campaigns in metropolitan areas with large immigrant populations; and

WHEREAS, participating cities in Cities for Citizenship include Atlanta, Baltimore, Boston, Chattanooga, Chicago, Denver, Los Angeles, Nashville, New York City, Milwaukee, Philadelphia, Pittsburgh, Redding, Seattle, and Washington, D.C.; and

WHEREAS, participating communities are required to commit to (1) track naturalization numbers and report those figures regularly to the Cities for Citizenship Leadership Council, (2) establish a target for annual naturalization numbers, (3) participate in at least one Cities for Citizenship initiative each year, and (4) share citizenship initiative materials and plans with the Cities for Citizenship initiative; and

WHEREAS, Miami-Dade County is a natural fit for this initiative due to its considerable immigrant population and the extensive existing network of profit, non-profit, and governmental organizations that currently and capably work towards reducing the barriers that deter legal permanent residents from becoming citizens,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor or Mayor's designee is directed to:

Section 1. Apply and engage in all necessary outreach and coordination for Miami-Dade County to be designated as a participating community of "Cities for Citizenship."

Section 2. Develop a plan within 45 days of the effective date of this resolution to launch an initiative in Fiscal Year 2015-2016 that will promote increasing the number of legal permanent residents in Miami-Dade County who apply for citizenship ("Citizenship Initiative"). The Citizenship Initiative shall include, but not be limited to, the following: (1) partnering with local organizations to host a total of 96 citizenship clinics that will be held >>countywide<<[1] [[~~once a month at each of eight Community Action and Human Services' Neighborhood Service Centers (Accion, Coconut Grove, Edison, Florida City/Homestead, Hialeah, Miami Gardens, Perrine, and Wynwood) or any other comparable County facilities~~]]; (2) providing in-kind services to host the citizenship clinics, to recruit, train, and assist both legal and non-legal volunteers, and to publicize the dates, times, and locations of the citizenship clinics; (3) providing incentives to >>encourage<< eligible County employees [[~~applying~~]] >>to apply<< for citizenship [[~~by offering "scholarships" for up to half of the citizenship application fee~~]]; (4) training County staff at the 211 and 311 Call Centers to be able to direct residents inquiring about the citizenship process to the proper organizations or to their nearest and next available citizenship clinic; (5) [[~~hosting~~]] >>supporting<< swearing-in ceremonies for Miami-Dade County residents who become citizens; and (6) engaging in any other activities or campaign commitments necessary for designation as a participating community in "Cities for Citizenship." The citizenship clinics will include (1) information sessions where the process to obtain citizenship will be explained to interested residents, (2) document preparation sessions where staff and volunteers will help applicants compile and complete the necessary documents, and (3)

[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

application completion sessions where residents can obtain assistance for completing applications under the legal supervision of volunteer law students and lawyers. The Citizenship Initiative shall have the goal of serving 5,000 eligible Miami-Dade County residents during its term.

Section 3. Identify legally available funding sources from the Fiscal Year 2014-2015 County Budget for a publicity campaign during September 2015 or "National Citizenship Month" to raise awareness for the upcoming Citizenship Initiative, and, if such sources are identified, to implement said campaign.

Section 4. [[~~Include, as part of the Mayor's proposed Fiscal Year 2015-2016 County budget, a plan to fund the implementation of the provisions of the Citizenship Initiative. The plan set forth in the Mayor's proposed budget shall, at a minimum, include details regarding the fiscal impact of implementing the Citizenship Initiative and the funding source(s) identified to fund the implementation.~~

~~Section 5.~~]] Submit a report to this Board within 45 days of the effective date of this resolution and to place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. The report shall, at a minimum, include details regarding the manner in which the Citizenship Initiative will be implemented, the fiscal impact of implementing the Citizenship Initiative, any funding sources identified to fund the implementation, and the current status of any implementation.

The Co-Prime Sponsors of the foregoing resolution are Commissioner Daniella Levine Cava and Chairman Jean Monestime. It was offered by Commissioner

,who moved its adoption. The motion was seconded by

Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

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

Michael B. Valdes

Board of County Commissioners Meeting – June 30, 2015

Commissioner Levine Cava's Proposed Amendment to Agenda Item 11A4

I would like to propose an amendment to Item 11A4, which is a resolution directing the County Mayor or Mayor's designee to apply for Miami-Dade County to be designated as a participating community of "Cities for Citizenship." I would like to propose that the item be amended to modify Section 2 as follows:

- The phrase "partnering with local organizations to host a total of 96 citizenships clinics that will be held countywide" in Section 2 on handwritten page 5 shall be replaced with the phrase "partnering with local organizations to assist with naturalization efforts countywide."

- The phrase "providing in-kind services to host the citizenship clinics, to recruit, train, and assist both legal and non-legal volunteers, and to publicize the dates, times, and locations of the citizenship clinics" in Section 2 on handwritten page 5 shall be replaced with the phrase "providing in-kind services to promote naturalization efforts, including, but not limited to, hosting citizenship clinics; recruiting, training, and assisting both legal and non-legal volunteers; and publicizing the dates, times, and locations of citizenship clinics or other organized events."

- The phrase "or other organized event" shall be added at the end of the phrase "or to their nearest and next available citizenship clinic" in Section 2 on handwritten page 5.

- The phrase "The citizenship clinics will include" in Section 2 on handwritten page 5 shall be replaced with the phrase "The naturalization efforts can include."

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/2015 Meeting: BCC Agenda Item #: 11A4

Subject: Cities for Citizenship

Name: Francesca Menes

Address: 16851 NE 23rd Avenue, North Miami Beach, FL 33160

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

#_____

FOR Speaker's Card *(Non-Public Hearing Propositions)*

Today's Date: 6/30/15 Meeting: BCC Agenda Item #: 11A5, 11A20, 11A27

Subject: Homeowners Classes, Citizenship DR

Name: Gepsie Metellus

Address: 575 NE 107 St Miami Fl 33161

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☐ No

If yes, please list name: _____

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☐ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution approving, pursuant to Section 125.37, Florida Statutes, an exchange agreement with Mapton Holdings, LLC for the conveyance to and purchase by the County of two parcels of land located at 2153 NW 2nd Avenue and 2145 NW 2nd Avenue along with improvements to be built for the County thereon at a cost to the developer of no less than $7,374,000.00, in exchange for the conveyance to Mapton Holdings, LLC of four parcels of vacant land located at 270 NW 23rd Street, 251 NW 22nd Lane, 205 NW 22nd Lane, and 2268 NW 2nd Avenue and the purchase price of $2,500,000.00 to be funded from Building Better Communities General Obligation Fund Project No. 324 – Puerto Rican Community Center, subject to satisfaction of conditions

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 6-11-15 Economic Prosperity Committee. This substitute differs from the original item to provide, in the Exchange Agreement, that the form of security to be provided by the Developer can be that in Attachment "5" or in another form approved by the County and subject to the same conditions in the Agreement; to clarify that the County Facilities' design can only be modified to reduce costs if the increased costs are a direct result of a County request; to require Developer to use best efforts comply with the Community Workforce Program; to include a $6,000 per year monitoring fee for the development to paid by the Developer to the County; to correct the name of the Developer in the Irrevocable Letters of Credit; and to replace one page of Attachment "7" (now handwritten page 68).

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson and Co-Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
6-30-15

RESOLUTION NO. _____

RESOLUTION APPROVING, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, AN EXCHANGE AGREEMENT WITH MAPTON HOLDINGS, LLC FOR THE CONVEYANCE TO AND PURCHASE BY THE COUNTY OF TWO PARCELS OF LAND TOTALING APPROXIMATELY 15,715 SQUARE FEET AND LOCATED AT 2153 NW 2ND AVENUE AND 2145 NW 2ND AVENUE ALONG WITH IMPROVEMENTS TO BE BUILT FOR THE COUNTY THEREON AT A COST TO THE DEVELOPER OF NO LESS THAN $7,374,000.00, IN EXCHANGE FOR THE CONVEYANCE TO MAPTON HOLDINGS, LLC OF FOUR PARCELS OF VACANT LAND TOTALING APPROXIMATELY 60,560 SQUARE FEET AND LOCATED AT 270 NW 23RD STREET, 251 NW 22ND LANE, 205 NW 22ND LANE, AND 2268 NW 2ND AVENUE AND THE PURCHASE PRICE OF $2,500,000.00 TO BE FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION FUND PROJECT NO. 324 – PUERTO RICAN COMMUNITY CENTER, SUBJECT TO SATISFACTION OF CONDITIONS; DECLARING FOUR COUNTY PARCELS SURPLUS, WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY PLANNING ADVISORY BOARD, AND AUTHORIZING CHAIRPERSON OR VICE-CHAIRPERSON OF THIS BOARD TO EXECUTE COUNTY DEED; DIRECTING COUNTY MAYOR OR DESIGNEE TO EXECUTE EXCHANGE AGREEMENT; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE CERTAIN DELEGATED AUTHORITY AND ALL PROVISIONS CONTAINED IN EXCHANGE AGREEMENT, AND TO COMPLETE ALL ACTS NECESSARY TO EFFECTUATE THE EXCHANGE OF PROPERTIES

WHEREAS, Mapton Holdings, LLC, an affiliated company of Mannigan Holdings, LLC ("Developer"), applied to the County for the conveyance of four parcels of vacant land owned by the County totaling approximately 60,560 square feet and located at 270 NW 23rd Street, 251 NW 22nd Lane, 205 NW 22nd Lane, and 2268 NW 2nd Avenue in the City of Miami, Florida ("County Property"); and

WHEREAS, Developer owns two parcels of land totaling approximately 15,715 square feet and located at 2153 NW 2nd Avenue and 2145 NW 2nd Avenue in Miami, Florida ("Developer Property"); and

WHEREAS, as the County does not require the County Property for a County purpose, the County desires to exchange the County Property for the Developer Property pursuant to Section 125.37, Florida Statutes; and

WHEREAS, the County desires the Developer Property for the County purpose of housing the County's Community Action and Human Services Department ("CAHSD") to assist with their programs serving the community and nearby residents; and

WHEREAS, further, the County desires to accomplish the purposes set forth in the memorandum attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, because the County Property has a greater fair market value than the Developer Property, Developer and County have agreed, pursuant to the terms of the Exchange Agreement between the County and the Developer, in substantially the form attached hereto as Exhibit "B" and incorporated herein by this reference (the "Exchange Agreement"), that Developer shall be required to construct a three-story building consisting of approximately 45,912 square feet of finished, interior space, including associated parking with a cost to construct of at least $7,374,000.00 ("County Facilities"); and

WHEREAS, the County Facilities to be constructed by Developer will house CASD, a satellite office for the District 3 Commissioner, and the Puerto Rican Community Center; and

WHEREAS, one of the projects approved by voters as part of the Building Better Communities General Obligation Bond Program ("Bond Program"), was Project No. 324 titled "Puerto Rican Community Center" with an original allocation of $2,500,000.00 and a project

description that reads: "Construct a community center for the Puerto Rican community" ("Project No. 324"); and

WHEREAS, upon completion of the County Facilities, the Developer shall convey the Developer Property to the County and the County shall remit $2,500,000.00 to the Developer as additional consideration for the exchange and acquisition of the Developer Property and the County Facilities, including the Puerto Rican Community Center; and

WHEREAS, the Exchange Agreement provides that the portion of the County Facilities that will house the Puerto Rican Community Center shall have a value of no less than $2,500,000.00; and

WHEREAS, the terms of the Exchange Agreement provide various mechanisms to secure the Developer's obligations to the County, including: a reversionary interest in the County Property in the event that the Developer fails to comply with certain obligations under the Exchange Agreement related to environmental conditions on the Developer Property; a restrictive covenant on the Developer Property disallowing any mortgages or other encumbrances on the Developer Property while the County Facilities are being built; a restrictive covenant on the County Property disallowing transfer of the County Property to a third party during construction of the County Facilities and requiring payment to the County of up to $4,013,494.00 for violations of the construction height limitations; an irrevocable letter of credit for the benefit of the County in the amount of $5,000,000.00 to guarantee the completion of the County Facilities and conveyance of the Developer Property to the County in accordance with the terms of the Exchange Agreement; and an irrevocable letter of credit to guarantee any environmental clean-up, remediation and/or monitoring obligations of the Developer related to the Developer Property; and

WHEREAS, it is the desire of the County and Developer to effectuate the exchange of the Developer Property and the County Property by conducting two closings; the first closing shall transfer the County Property to Developer, and the second closing shall transfer the completed County Facilities and Developer Property to the County and shall take place no later than approximately four (4) years thereafter, subject to any extensions permitted in the Exchange Agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that, subject to this Board's approval of a significant modification of Project No. 324 to allow for the acquisition of a Puerto Rican Community Center:

Section 1. This Board incorporates and approves the foregoing recitals and the attached memorandum as if fully set forth herein.

Section 2. This Board approves the Exchange Agreement in substantially the form attached hereto as Exhibit "B" and authorizes the exchange of the County Property for the Developer Property and the acquisition of the Puerto Rican Community Center in an amount of $2,500,000.00 to be funded from Project No. 324 Bond Program funds.

Section 3. This Board hereby declares the County Property surplus, waives Administrative Order 8-4 as it pertains to review by the Planning Advisory Board, and pursuant to Section 125.37, Florida Statutes, approves the exchange of the County Property for the Developer Property, finding that the County Property is not needed for a County purpose and that the Developer Property is needed for a County Purpose. This Board further authorizes the Chairperson or Vice-Chairperson of this Board to execute the County Deed in substantially the form attached to the Exchange Agreement in connection with the conveyance of the County Property to the Developer.

Section 4. This Board authorizes the Mayor or the Mayor's designee to: (a) correct any scrivener's errors and exercise any provisions contained in the Exchange Agreement, including the restrictive covenants attached thereto; (b) complete all acts necessary to effectuate the exchange of properties, including but not limited to, letters of estoppel as necessary or required; and (c) make all modifications to the Exchange Agreement and any other associated documents requested by the title company(ies) handling the closings of the Developer Property and the County Property, provided the modifications are non-substantive and do not require the expenditure of any County funds or commitment of County resources, as determined by the Mayor or designee in consultation with the County Attorney's Office.

Section 5. Pursuant to Resolution No. R-974-09, this Board: (a) directs the Mayor or designee to provide a recorded copy of the instrument of conveyance from the County to the Developer in the form of the County Deed and from the Developer to the County in the form of the Warranty Deed and the restrictive covenants recorded by the Developer on the County Property and the Developer Property, as required by the Exchange Agreement, to the Clerk of the Board within 30 days of execution of each said instrument; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of the instruments together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson and the Co-Sponsor is Commissioner Rebeca Sosa. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

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

Monica Rizo Perez

EXHIBIT A

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2015

To: Honorable Audrey Edmonson
County Commissioner, District 3

From: Leland S. Salomon
Deputy Director for Economic Development, RER

Subject: Exchange Agreement between Mapton Holdings, LLC and Miami-Dade County for property and building in the Wynwood area of District 3.

Recommendation

Staff recommends the approval of this Exchange Agreement with Mapton Holdings, LLC ("Mapton") in order to convey to Mapton four parcels of County-owned vacant land totaling approximately 60,560 square feet located at 270 NW 23rd Street, 251 NW 22nd Lane, 205 NW 22nd Lane, and 2268 NW 2nd Avenue ("County Property") in exchange for the conveyance to the County of two parcels of land totaling approximately 15,715 square feet/acres and located at 2153 NW 2nd Avenue and 2145 NW 2nd Avenue in Miami, Florida ("Developer Property") along with a three-story building and associated parking to be constructed thereon and to be used by the County for county purposes, all pursuant to the authority of Section 125.37, Florida Statutes.

Scope

The impact of the agenda item is in District 2, 3, 4 and 5.

Fiscal Impact/Funding Source

The following is the financial impact to the County:

1. Miami-Dade County property was appraised at $6,800,000.
2. Mapton property was appraised at $3,000,000.
3. To make up for the differential of $3,800,000 Mapton has agreed to construct a building of approximately 45,912 square feet with 29 indoor parking spaces for County use ("County Facilities").
4. Due to increased values in the area since the appraisals were performed, Mapton has agreed to contribute an additional $1,073,948 towards the cost of the County Facilities.
5. Additionally, Better Building Community, General Obligation Bond ("Bond Program") Project No. 324- "Puerto Rican Community Center" has an allocation of $2,500,000 and these funds will be used exclusively for the acquisition of the Puerto Rican Community Center within the County Facilities, which funds will be paid to the developer only after the County Facilities receive a Certificate of Occupancy.

Track Record/Monitor

Mapton is an affiliated, local company of Mannigan Holdings, LLC which presently owns approximately 30 acres of land in Wynwood. The Exchange Agreement will be monitored by Leland Salomon, Deputy Director, Economic Development, RER.

Background

Pursuant to Resolution R-917-04 (the "Outreach Facilities Resolution") the voters approved issuance of general obligation bonds in a principal amount not to exceed $255,070,000 to construct and

improve outreach facilities to meet code and service requirements and to increase neighborhood and community access and services. One of the projects listed in Appendix A to the Outreach Facilities Resolution was Project No. 324 - "Puerto Rican Community Center" with an original allocation of $2.5 million to "Construct a Community Center for the Puerto Rican Community."

On December 2, 2008 by Resolution R-1368-08, the Board of County Commissioners designated the South Florida Puerto Rican Chamber of Commerce, Inc. ("PRCC") as the grant recipient of the Bond Program proceeds for the development, design and construction of Project No. 324, which project was to be "a multi-purpose facility to include retail gallery space, conference rooms, classrooms for neighborhood residents and students of two neighborhood public schools, and office space to a community business enterprise program to assist with job creation within District 3." The Board identified the County Property as a viable site upon which to construct the Puerto Rican Community Center. The past five years, the PRCC has made several attempts to develop their project on the County Property, but have been unable to do so.

In 2010, Mannigan Holdings, LLC. ("Mannigan"), an affiliated company of Mapton and developer of Mana Wynwood, purchased the site previously owned by the Dade Foreign Trade Zone, Inc. directly adjacent to the County Property. The company continued to purchase additional sites in the immediate surrounding area and, to date, has accumulated approximately 30 acres of land. Mr. Moshe Mana, principal owner of Mannigan, approached the County expressing his interest in purchasing the County Property in order to develop a new commercial trade and commerce zone that is unique as a high energy mix of flexible space for large events, new commerce, offices, hospitality and residences for Miami's burgeoning entrepreneurial class. Mana Wynwood's proposed project, inclusive of the County Property, will have a major new open park/plaza that represents 20% of the overall property in open space and will have multiple buildings that will comprise at completion in excess of 4 million square feet. The County Property is essential as it provides the connection at NW 2nd Ave which is the connection to the rest of Wynwood and the gateway to our project.

Seeing the importance of the County Property to Mana Wynwood's project, and seeing as how the County did not require the County Property for any county purpose, County staff suggested swapping the County Property with the Developer Property (i.e. two parcels that Mapton owns nearby at 2145-2153 NW 2nd Avenue, Miami, FL 33127). The County obtained two appraisals of the County Property, which first appraisal conducted by Hemingway & Associates, LLC on October 22, 2014, valued the County Property at $6.8 million. The second appraisal procured by the County for the County Property was performed by Appraisal First Real Estate Appraisers LLC and valued the County Property at $3,600,000; the County disregarded this appraisal as staff felt it was not representative of the true value of the County Property. The County also obtained two appraisals of the Developer Property, which first appraisal was performed by Hemingway & Associates, LLC and valued the Developer Property at $3 million and the second appraisal was performed by Appraisal First Real Estate Appraisers LLC and valued the Developer Property at $2,400,000. Since that time, prices of land sales have continued to escalate in Wynwood. Staff examined recent sales in the immediate area and concluded that the County Property was now worth $8,457,633 and the Developer Property was worth $3,583,685, resulting in a differential of $4,873,948. As a result, Mapton will construct a new three-story consisting of approximately 45,912 square feet of finished, interior space, including associated parking with a cost to construct of $7,374,000.00 ("County Facilities") on the Developer Property. The $2.5 million out of the $7.374 million shall be paid by the

County at the closing for the Developer Property out of the Bond Program funds allocated for the Puerto Rican Community Center. Conceptual plans for the building are included as Attachment "7" to the Exchange Agreement.

- The PRCC is slated to occupy approximately 7,044 square feet for the Puerto Rican Community Center and an agreement will be brought to the Board in the future to allow such use; and
- The County's Community Action and Human Services Department ("CAHSD") is to occupy approximately 14,187 square feet to assist with their programs serving the community. While CAHSD is presently planning the redevelopment of their Service Center at NW 2nd Avenue and 29th Street they plan to expand their services by adding this facility as an additional outlet.
- Additionally, there is an area set aside within the County's space for a satellite office for the District 3 Commissioner
- Common areas of approximately 5,738 square feet will be used by all the building's occupants.
- Lastly, is a second floor indoor parking space of 18,943 square feet designed to accommodate 29 cars.

The proposed exchange would occur as follows:

- After approval by the BCC, the County would deed the County Property to Mapton.
- As calculated from the Effective Date of this Agreement, Mapton would then have a total of:
  - 240 days to submit 75% construction drawings
  - 360 days to complete 100% construction drawings
  - 550 days to obtain a building permit
  - 600 days to commence construction.
  - Not more than 90 days from completion of the building (Certificate of Occupancy) Mapton will deed its property and all its improvements to the County and the County will pay to Mapton the $2.5 million proceeds from the GOB bonds for the acquisition of the Puerto Rican Community Center. Mapton has a maximum of four years from the Effective Date to complete the building and improvements except that, if after performing a new environmental assessment of their property they find the presence of hazardous materials, completion may be extended for up to one year for them to perform the necessary clean-up.

Finally, in order to secure Mapton's obligations to the County to construct the new building, Mapton has agreed to provide the County with an Irrevocable Letter of Credit ("ILOC") in the amount of $5 million which can be drawn down by the County if Mapton defaults in any of their obligations in their performance of this Agreement to build. Additionally, Mapton will issue a separate environmental ILOC if and when the County determines that there is remediation required for any environmental issues regarding Mapton's property. The County maintains a reversionary right to its property until such time as this environmental ILOC is issued in an amount sufficient to perform said environmental remediation to be determined by the County

As required by Section 2-8.6.5 of the County Code, the following is the ownership structure of Mapton Holdings, LLC:

1. MAPTON REALTY CORP is the MANAGING MEMBER of MAPTON HOLDINGS LLC;
2. MAPTON REALTY CORP is 100% Owned by MOISHE MANA;

//

3. MAPTON HOLDINGS LLC is owned 99% by MOISHE MANA, Individually, and it is owned 1% by MAPTON REALTY CORP.

EXCHANGE AGREEMENT

THIS EXCHANGE AGREEMENT (hereinafter "Agreement") is entered into and made effective this ____ day of _____, 2015, by and between **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida (hereinafter "County") and **MAPTON HOLDINGS LLC**, a Delaware limited liability company ("Developer").

RECITALS

WHEREAS, the County owns four parcels of vacant land totaling approximately 60,560 square feet located at 270 NW 23rd Street, 251 NW 22nd Lane, 205 NW 22nd Lane, and 2268 NW 2nd Avenue, all as more specifically described below as the County Property; and

WHEREAS, Developer is desirous of developing a mixed-use development project to include commercial, retail, residential, hospitality, offices, flex space, educational facilities, art galleries, parking and ample open space which is anticipated to generate economic development opportunities in the area (the "Development Project"); and

WHEREAS, the Developer desires to advance the Development Project on the County Property; and

WHEREAS, the Developer owns two (2) parcels of land consisting of approximately 15,715 square feet/acres located at the addresses set forth below in the City of Miami (the "City"), one parcel presently improved with an auto body repair building and the other being a vacant parcel all as more particularly described below as the Developer Property, and the Developer has applied to the County for an exchange of the County Property for the Developer Property; and

WHEREAS, at this time, the County does not require the County Property for any county purpose, but desires to acquire the Developer Property for a county purpose; and

WHEREAS, thus, pursuant to Section 125.37, Florida Statutes, the County desires to convey the County Property to the Developer in exchange for the Developer later conveying the Developer Property to the County in accordance with the terms and conditions of this Agreement; and

WHEREAS, one of the projects approved by voters as part of the Building Better Communities General Obligation Bond Program ("Bond Program"), was Project No. 324 titled "Puerto Rican Community Center" with an original allocation of Two Million Five Hundred Thousand Dollars ($2,500,000.00) and a project description that reads: "Construct a community center for the Puerto Rican community" ("Project No. 324"); and

WHEREAS, the fair market value of the Developer Property as of the date of this Agreement is $3,583,685.00, and an appraisal of the County Property, which appraisal provides that the fair market value of the County Property is $8,457,633.00; and

WHEREAS, because the County Property has a greater fair market value than the Developer Property, the County and the Developer have agreed that the Developer shall, prior to the conveyance of the Developer Property to the County, develop on the Developer Property a three-story building to consist of approximately 45,912 square feet of finished, interior space, including associated parking, which cost to construct is $7,374,000.00 and which facilities shall also house the Puerto Rican Community Center, all as more specifically defined below as the County Facilities; and

WHEREAS, that portion of the County Facilities that will house the Puerto Rican Community Center shall have a value of no less than Two Million Five Hundred Thousand Dollars ($2,500,000.00); and

WHEREAS, upon completion of the County Facilities and at Closing 2, the Developer shall convey the Developer Property to the County and the County shall remit Two Million Five Hundred Thousand Dollars ($2,500,000.00) to the Developer as additional consideration for the acquisition of the Developer Property and the County Facilities, including the Puerto Rican Community Center; and

WHEREAS, it is the desire of the County and Developer to effectuate the exchange of the Developer Property and the County Property by conducting two closings; the first closing shall transfer the County Property to Developer, subject to the conditions as set forth herein and the second closing shall shall transfer the completed County Facilities and Developer Property to the County and shall take place no later than approximately four (4) years thereafter, subject to any extensions thereof as set forth below.

NOW, THEREFORE, in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

TERMS:

1. INCORPORATION OF RECITALS.

The foregoing Recitals are true and correct, and are hereby incorporated herein by reference. If there is a conflict between any of the Recitals and the Terms of this Agreement, the Terms set forth below shall control.

2. DEFINITIONS.

"Applicable Law" means any applicable law, statute, code, ordinance, administrative order, implementing order, charter, resolution, order, rule, regulation, judgment, decree, writ, injunction, franchise, permit or license, of any governmental authority, now existing or hereafter enacted, adopted, promulgated, entered, or issued.

"Business Day" means any day other than a Saturday, Sunday or legal or bank holiday in Miami-Dade County. If any time period set forth in this Agreement expires on a day other than a Business Day, such period shall be extended to and through the next succeeding Business Day.

"Certificate of Occupancy" shall mean the certificate issued by the governmental agency and/or department authorized to issue a certificate of occupancy or certificate of completion, as applicable, evidencing that the applicable County Facilities are ready for occupancy is accordance with Applicable Law.

"City Requirements" shall mean obligations and requirements imposed by the City of Miami, its zoning regulations, parking requirements and conditions for development, City Planning and Zoning Department and/or City's Boards, Committees or Commission for the development of the County Facilities.

"Closing 1" shall mean: (1) the transfer and conveyance by the County to the Developer of the County Property by County Deed, and recordation thereof in the public records of Miami-Dade County; (2) the delivery by Developer to the County of the Warranty Deed for Developer Property; and (3) the delivery and recordation in the public records of Miami-Dade County of the executed restrictive covenants in favor of the County on the Developer Property and on the County Property.

"Closing 2" shall mean the recordation of the Warranty Deed by the County for the Developer Property and the execution and recordation of the release of that provision in the restrictive covenants for the County Property disallowing the transfer or conveyance of the County Property to any third party and of the restrictive covenants for the Developer Property.

"Commencement of Construction" and "Commenced Construction" shall mean the later of the filing of the notice of commencement under Section 713.13, Florida Statutes for the County Facilities, or the visible start of work on the Developer Property for the County Facilities, including on-site utility, excavation or soil stabilization work

(but specifically excluding any demolition work for existing improvements on the Developer Property and specifically excluding any ceremonial groundbreaking).

"Construction Documents" means the architectural drawings, specifications and other documents, as may be amended from time to time in accordance with this Agreement, setting forth the design of the County Facilities and the requirements for their respective construction in sufficient detail for the permitting and construction of the County Facilities.

"County Facilities" shall mean that three-story building to consist of approximately 45,912 square feet of finished, interior space, including associated parking, developed in accordance with the terms and conditions of this Agreement, subject to a reduction as set forth in Section 14.2.

"County Property" shall mean that certain real property comprising approximately 60,560 square feet of land within four parcels of vacant land located in Miami-Dade County, Florida, along with any and all improvements, if any, located thereon, along with any and all tenements, hereditaments, privileges, servitudes, easements, appurtenances, right of ways, development rights, air rights, and any other right, title and interest that the County has or may have in the County Property, which address, legal description and folio number are as follows:

Property 1
Address: 270 NW 23 ST Miami, FL 33127-4316

Legal Description:
LOTS 86 THROUGH 88, BOTH INCLUSIVE, OF CORRECTED MAP OF SPAULDING'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161 OF THE PUBLIC RECORDS OF MIAMI-DADA COUNTY, FLORIDA, LESS THE NORTH 5 FEET THEREOF.

Folio Number: 0131250340830

Property 2
Address: 251 NW 22 LN Miami, FL 33127-4810

Legal Description:
LOTS 2, 3, 4, 5, 6, 7, AND 8, BLOCK 1, INCLUSIVE, OF AN UNRECORDED PLAT OF FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 87.27 FEET WEST OF THE NORTHWEST CORNER OF THE SE 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN WEST 435.89 FEET TO POINT; THENCE RUN SOUTH 85.00 FEET TO A POINT; THENCE RUN EAST 435.89

FEET TO A POINT; THENCE RUN NORTH 85.00 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 10 FEET THEREOF
Folio Number: 01-3125-044-0020

Property 3
Address: 205 NW 22 LN Miami, FL 33127-4810

Legal Description:
THE FOLLOWING PARCELS, ALL BEING LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA.

LOT 1 OF BLOCK 1, OF AN UNRECORDED PLAT OF THE FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, BEING OTHERWISE DESCRIBED AS FOLLOWS: WEST 62.27 FEET OF THE EAST 87.27 FEET OF THE NORTH 85 FEET OF THE SE 1/4 OF THE SW 1/4 , LESS THE EAST 5 FEET THEREOF AND LESS THE SOUTH 10 FEET THEREOF
Folio Number: 01-3125-044-0010

Property 4
Address: 2268 NW 2 AVE Miami, FL 33127-4841

Legal Description:
THE SOUTH HALF OF LOTS 94 AND 95, OF CORRECTED MAP OF SPAULDING'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS A STRIP OF LAND 5 FEET IN WIDTH OFF THE EAST SIDE THEREOF.

Folio Number: 01-3125-034-0890

"Developer Property" shall mean that certain real property comprising approximately 15,715 square feet of land within two parcels of land located in Miami-Dade County, Florida, along with any and all improvements, if any, located thereon, along with any and all tenements, hereditaments, privileges, servitudes, easements, appurtenances, right of ways, development rights, air rights, and any other right, title and interest that the Developer has or may have in the Developer Property, and which the County has or may have in the Developer Property, which address, legal description and folio number are as follows:

Property 1
Address: 2153 NW 2 AVE Miami, FL 33127-4826

Legal Description:
ALL OF LOTS A AND B OF HALL AND MORGAN'S RE-SUBDIVISION OF BLOCK 6 OF JOHNSON AND WADDELL'S ADDITION TO THE CITY OF MIAMI, FLORIDA, AS RECORDED IN PLAT BOOK 7, PAGE(S) 59, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS A STRIP OF LAND 6.5 FEET IN WIDTH OFF THE WEST SIDE FOR ROAD PURPOSES.

Folio Number: 01-3125-051-0010

Property 2
Address: 2145 NW 2 AVE Miami, FL 33127-4826

Legal Description:
PARCEL 1:

LOT D, LESS THE WEST 7 FEET, BLOCK 6, OF A RESUBDIVISION OF BLOCK 6 & LOTS 1-4, BLOCK 15, JOHNSON & WADDELL ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE(S) 59, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL II:

LOT C, BLOCK 6, OF A RESUBDIVISION OF BLOCK 6 & LOTS 1-4, BLOCK 15, JOHNSON & WADDELL ADDITION, ACCORDING TO THE MAP OF PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE(S) 59, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS RIGHT-OF-WAY OF N.W. 2ND AVENUE AS RECORDED IN DEED BOOK 523, PAGE 25, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Folio Number: 01-3125-051-0020

"Developer Soft Costs" means the Project Costs to be paid directly by the Developer to cover the fees and costs relating to the design professionals, permitting expenses, surveyors, and any other fees and expenses directly related to the development of the County Facilities but excluding hard construction costs. The Developer Soft Costs exclude fees paid to lobbyists, auditors, accountants, legal (except for land use counsel at an amount not to exceed $30,000.00) or tax expenses, payments or commissions to brokers and salespersons, payments to sponsors or supporters, interest payments, or any

professional services not expressly enumerated in Florida's Consultant's Competitive Negotiation Act, Fla. Stat. Section 287.055.

"Effective Date" shall mean the date on which the County Mayor executes this Agreement.

"Environmental ILOC" shall mean that Irrevocable Letter of Credit provided by the Developer to the County to secure the Developer's obligations pursuant to Article 6 of this Agreement.

"Final Completion" means the occurrence of all of the following: (i) the architect has signed and delivered to the Developer and the County a certificate of final completion for the County Facilities in accordance with the Construction Documents, (ii) a Certificate of Occupancy has been issued for the County Facilities, and (iii) punch list items for the County Facilities have been completed.

"Force Majeure" means any act of God, earthquake, hurricane or other severe weather condition, flood, fire, epidemic, major accident, explosion, casualty, labor controversy (including but not limited to threatened or actual lockout, boycott or strike), riot, terrorism, civil disturbance, demonstrations, war or armed conflict, (or threats of the foregoing), delay of a common carrier, or by reason of any other cause or causes of any similar nature.

Irrevocable Letter of Credit" or "ILOC" means an irrevocable, transferable, standby letter of credit, issued by: (a) a publicly traded company on the major U.S. Stock exchanges that operates as a bank holding company or its subsidiary with offices in the State of Florida; (b) a U.S. commercial bank or a U.S. branch office of a foreign bank; (c) JP Morgan Chase; or (d) Deutsche Bank (each referred to as "Issuer"). In case of an Issuer under category (a) or (b) in the preceding sentence, the Issuer shall be licensed in Florida, subject to Chapter 675 of the Florida Statutes, and shall have a credit rating of at least (x) "A-" by S&P and "A3" by Moody's, if such entity is rated by both S&P and Moody's, or (y) "A-" by S&P or "A3" by Moody's if such entity is rated by either S&P or Moody's, but not both.

"Lien" means any encumbrance, lien, lis pendens, security interest, pledge, easement, license, right-of-way, covenant, condition, restriction or claim in, to, against or in any way applicable to any portion of the land in question.

"Project Costs" means all Project Hard Costs and the Developer Soft Costs incurred by the Developer for the design, development, renovation, construction and completion of the County Facilities and shall include no other costs. Project Costs shall be $7,374,000.00.

"Project Hard Costs" means, and shall include, only the cost of all labor, construction materials, fixtures, equipment, landscaping and hardscaping incorporated into the County Facilities.

3. PROPERTY TO BE EXCHANGED AND INTEREST CONVEYED.

The County agrees to convey to Developer, by County Deed in the form attached as Attachment "1" to this Agreement, the County Property owned by the County in Miami-Dade County as such property is more fully described in Exhibit A to Attachment "1" to this Agreement, subject to the County's reversionary interest to the County Property and to the terms and conditions of this Agreement. The County extends and intends no representations or warranties of any kind regarding the County Property and the Developer acknowledges that the County's conveyance of title in the County Property to Developer is "as is" condition. At Closing 1, the Developer shall also record, in favor of the County: (a) a restrictive covenant in substantially the form attached hereto as Attachment "2" on the County Property; and (b) a restrictive covenant in substantially the form attached hereto as Attachment "3" on the Developer Property prohibiting the encumbrance of the Developer Property by mortgage, restriction, Lien or otherwise (excepting notices of commencement for the County Facilities).

The Developer hereby warrants that it is the owner of the Developer Property, and hereby agrees to convey to the County all of its right, title and interest in the Developer Property, including, but not limited to, good, marketable and insurable title in the Developer Property by General Warranty Deed in the forms attached as Attachment "4" to this Agreement, which shall be delivered to the County, fully executed, at the time of Closing 1 and held in escrow by the County until Closing 2. The Developer Property is more fully described in the exhibits to Attachment "4" to this Agreement. Both the Developer Property and the County Property include all improvements, easements, appurtenances and hereditaments pertaining to each property, except that the County Facilities shall be constructed on the Developer Property prior to the conveyance by the Developer to the County of the Developer Property, all as set forth below.

4. VALUATION OF COUNTY PROPERTY AND DEVELOPER PROPERTY.

For purposes of this Agreement, the Developer and the County agree that as of the Effective Date, the County Property is valued at $8,457,633.00 ("County Approved Value") and that the Developer Property is valued at $3,583,685.00 ("Developer Approved Value").

5. CONSIDERATION FOR EXCHANGE.

As a material inducement and consideration for the County to enter into this Exchange Agreement, the Developer agreed to construct certain improvements for the County on the Developer Property in order to compensate the County for the difference in the County Approved Value and the Developer Approved Value. In accordance with the terms and conditions of this Agreement, Developer shall, prior to conveying the Developer Property to the County, construct the County Facilities on the Developer Property for the amount of the Project Costs, which costs are to be paid for and borne solely by the Developer. At Closing 2, the County shall remit to Developer funds in the amount of $2,500,000.00 as additional consideration and part of the purchase price for

the acquisition of the Puerto Rican Community Center to be built within the County Facilities.

6. **ENVIRONMENTAL SITE ASSESSMENTS OF DEVELOPER PROPERTY.**

Developer acknowledges and agrees that it has had ample opportunity to examine the Developer Property for any and all Contaminants or Hazardous Materials (as herein later defined), Environmental Conditions (as herein later defined), toxic substances and/or hazardous wastes on or about the Developer Property. The Developer shall, at Developer's sole cost and expense and at least ninety (90) days following the scheduled date of Closing 1, obtain a Letter of Current Enforcement Status of the Developer Property by the Miami-Dade County Department of Regulatory and Economic Resources- Division of Environmental Resource Management ("RER-DERM") and conduct an environmental site assessment of the Developer Property as required –by RER-DERM to determine the existence and extent, if any, of Hazardous Materials or Contaminants Environmental Conditions (as herein later defined) or toxic substances and hazardous waste on the Developer Property in violation of any laws, ordinances, rules or restrictions of any governmental authority having jurisdiction. At a minimum, Developer shall be required to conduct a Phase I and Phase II environmental study for the Developer Property within such ninety days and all such studies shall be subject to the review and approval of RER-DERM, which approval shall be granted, conditioned or denied in the reasonable exercise of RER-DERM's discretion.

Should such inspections show defects to the Developer Property and/or to any other surrounding properties or right-of-ways (which defects were caused by the condition of and/or activities on Developer Property), including the presence of Hazardous Materials or Contaminants, then the Developer shall, at Developer's sole cost and expense, promptly and diligently commence and complete any and all assessments, clean ups, repairs, monitoring, and remedy such defects, including Hazardous Materials or Contaminants, to the satisfaction of the County and as necessary to obtain full compliance with any and all applicable governmental restrictions. County agrees that, to the extent that Developer is required to undertake extensive clean up and remediation (but specifically excluding simply capping, filling and/or paving over the Developer Property), Developer shall have an extension of the time periods set forth in this Agreement of up to one (1) year to enable it to remedy such defects. However, Developer shall effectuate such remedy in a timely, diligent, and prompt manner so as not to delay any of the deadlines set forth in this Agreement, as extended, for construction and Closing 2 and so as to be completed prior to Closing 2. Developer acknowledges that the County's regulatory process may require multiple submittals of such documents as assessment reports or corrective action plans depending on insufficiencies and incompleteness in those documents and Developer shall consider and account for this in development planning.

Developer shall not place, permit, or suffer any Hazardous Materials to be placed on the Developer Property after the Effective Date.

At least fifteen (15) days prior to the scheduled date of Closing 2, Developer shall, at its sole cost and expense, obtain another Letter of Current Enforcement Status of the Developer Property by RER-DERM and conduct an environmental site assessment of the Developer Property as required by RER-DERM to confirm the non-existence of Hazardous Materials (as defined herein) or toxic substances, hazardous waste or Contaminants (as defined herein) on the Developer Property in violation of any laws, ordinances, rules or restrictions of any governmental authority having jurisdiction. Should such inspections show defects to the Developer Property, including the presence of Hazardous Materials or Contaminants exceeding the cleanup target levels in the Code of Miami-Dade County, then Developer shall promptly commence the repair and remedy of such defects, including Hazardous Materials and Contaminants exceeding the clean-up target levels in the Code, and diligently pursue the completion of such repairs and remediation to the reasonable satisfaction of the County. If Developer fails to repair and remedy such defects to the reasonable satisfaction of the County, then the County shall have the right to draw on the Environmental ILOC to cover the expenses to repair and remedy the adverse environmental conditions on the Developer Property and/or to any other surrounding properties or right-of-ways (which defects were caused by the condition and/or activities on Developer Property). Notwithstanding the foregoing, nothing herein shall be deemed to limit the County's rights to equitable or legal relief against Developer for breaches of this Agreement and the County shall retain all other rights and remedies set forth herein.

Any and all costs expended by the Developer for work undertaken by the Developer in conjunction with the Environmental Conditions on the Developer Property, including but not limited to, the Phase I and Phase II testing, site assessments, environmental consultants, and any remediation and clean up work, shall not be included within the Project Costs. Project Costs specifically excludes all costs associated with the Environmental Conditions on and testing of the Developer Property. The Developer hereby indemnifies and holds the County harmless from and against any and all liability relating to the condition of the Developer Property, and further agrees at its sole cost and expense to defend any Environmental Claim (as herein later defined), lawsuit, action and/or cause of action brought against the County for any reason relating to the condition of the Developer Property or effect of Environmental Conditions on neighboring properties. This clause shall survive the termination or expiration of this Agreement.

"Contaminant" shall mean any substance present in any medium which (1) may cause an adverse effect upon public health, public safety, public welfare or the environment, including but not limited to limits or clean up target levels for which the Chapter 24 of the Code of Miami-Dade County provides, or (2) which causes a nuisance as defined in Section 24-5, Section 24-27 or Section 24-28 of the Miami-Dade County Code, or (3) as defined in Sections 376.301 or 403.031, Florida Statutes.

"Hazardous Material" is any solid, liquid, or gas that can harm people, other living organisms, property, or the environment. The term Hazardous Material as used in this context is equivalent to a hazardous, dangerous and/or harmful substance, material or

waste of any kind. A Hazardous Material may be radioactive, flammable, explosive, toxic, corrosive, biohazardous, an oxidizer, an asphyxiant, or may have other characteristics that make it harmful and/or dangerous in specific circumstances. Mitigating the risks associated with Hazardous Materials may require the application of safety precautions during their transport, use, storage, and/or disposal.

"Environmental Claim" shall mean any claim, notice, order, demand, or other communication made by any person, including but not limited to the Developer and/or the County, that: (i) alleges a violation of an Environmental Law (as herein later defined), (ii) alleges a liability for Environmental Damages (as herein later defined), (iii) orders investigation, corrective action, cleanup, remediation or other response under an Environmental Law (as herein later defined), (iv) demands information under an Environmental Law (as herein later defined), and/or (v) alleges that there is or may be contamination.

"Environmental Conditions" shall mean any conditions of the environment including, without limitation, the work place, natural resources (including flora or fauna), soil, surface water, ground water, any actual or potential drinking water supply sources, substrata or the ambient air, relating to or arising out of, or caused by the use, handling, storage, cleanup, treatment, recycling, generation, transportation, release, spilling, leaking, pumping, emptying, discharging, injecting, escaping, leaching, disposal, dumping, threatened release or other management or mismanagement of regulated substances, including but not limited to Hazardous Materials or Contaminants, resulting from the operation of a business and/or activity inside of the building, and/or the use of, or operation of a business and/or activity on, the Property.

"Environmental Damages" shall mean any and all claims, judgments, damages, losses, penalties, fines, liabilities, liens, costs, and expenses of investigation and/or defense of any claim, whether or not such claim is ultimately defeated, of whatever kind or nature, including without limitation any and all attorneys' fees and disbursements and contractors' and consultants' fees and disbursements, any of which are incurred at any time as a result of the actual or alleged presence of Hazardous Materials, or the actual or alleged violation of an Environmental Law (as herein later defined), including, without limitation, claims and demands by any person for damages for personal injury, property damage, environmental investigation costs, environmental cleanup costs, response costs under any federal or state hazardous sites cleanup law, or any other cost or damage attributable to Hazardous Materials Contaminants or the violation of or liability under Environmental Laws (as herein later defined). Without limiting the generality of the foregoing, Environmental Damages shall also include any diminution in the market value of the Property, and/or the building which sits upon the Property, caused by the actual or alleged presence of Hazardous Materials.

"Environmental Law(s)" shall mean all present and future governmental rules and regulations pertaining to the protection of the environment, including, without limitation, those pertaining to reporting, licensing, permitting, investigating, remediation, handling, manufacturing, treating, storing, generating, disposing, transporting, or releasing chemical substances, pollutants, contaminants, hazardous

substances, toxic substances, pathogens, radioactive materials, or wastes, whether solid, liquid or gaseous. Without limiting the generality of the foregoing, Environmental Laws shall specifically include all federal, state and/or county laws, ordinances, rules and regulations directly related to environmental issues.

7. CONDITION OF THE COUNTY PROPERTY.

Developer may inspect the County Property, including but not limited to inspections to determine any Environmental Conditions thereon. Developer shall have the right to, at any time until June 29, 2015, notify the County, in writing, that it seeks to terminate this Agreement for convenience. If Developer fails to issue any such written notice of termination to the County on or before June 29, 2015, then Developer is deemed to have acknowledged, and does acknowledge, that it had the opportunity to inspect the County Property prior to Closing 1 and has therefore agreed to accept the County Property in "AS IS, WHERE IS CONDITION." The County makes no warranties or representations whatever as to the condition of the County Property or any improvements located thereon, or the fitness of either for any particular use or purpose.

8. RADON GAS.

Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county public health department.

9. TITLE INSURANCE.

Developer shall, at its expense, within fifteen (15) Business Days of the Effective Date and prior to Closing 1, obtain and furnish to the County a marketable title insurance commitment for the Developer Property. Said commitment shall show a good, marketable and insurable title to the Developer Property in the Developer's name. The County shall have ten (10) Business Days from receipt of the title commitment to inspect said title documents and report defects, if any, in writing to the Developer. If the title commitment shows title to the Developer Property to be unmarketable and uninsurable, then this Agreement shall be null and void and of no further force and effect and neither party shall have liability to the other and be released of all obligations hereunder, except that Developer elect by written notice to the County, sent within ten (10) Business Days' of receipt by Developer of the title commitment, to cure such title defects prior to Closing 1, such cure to be completed by Developer no later than thirty (30) days after Developer's written notice to the County to undertake same and in all events prior to Closing 1. The Developer shall pay all cost and expenses related to curing any title defects, including, but not limited to, the payment of any recording fees for corrective instruments required hereunder. In the even that Developer fails to cure all title defects to the Developer Property thirty (30) days after Developer's written notice to the County of said election, then this Agreement shall be null and void and of no further force and effect and neither party shall have liability to the other and be released of all obligations hereunder.

If Closing 1 takes place, Developer shall not thereafter place, permit, or suffer any Liens, encumbrances, or defects which would render title to the Developer Property to be unmarketable and uninsurable to be placed on the Developer Property.

If Closing 1 takes place, then Developer shall, at its expense and at least thirty (30) days, and no more than sixty (60) days prior, to the scheduled date for Closing 2, obtain and furnish to the County a marketable title insurance commitment for the Developer Property. Said commitment shall show a good, marketable and insurable title to the Developer Property in the Developer's name. The County shall have ten (10) Business Days from receipt of the title commitment and in all events prior to Closing 2, to inspect said title documents and report defects, if any, in writing to the Developer. If the title commitment shows title to the Developer Property to be marketable and insurable, then Developer shall obtain an owner's marketable title insurance policy (ALTA Form "B" with Florida revisions" from a title insurance company licensed by the State of Florida ("Title Company") in the amount of $8,457,633.00, which policy shall insure marketable title of the Developer to the Developer Property and furnish a copy of the policy to the County immediately upon Developer's receipt of same. In addition, the policy shall insure title to the Developer Property for the period between Closing 2 and the recording of the General Warranty Deed from the Developer to the County.

If the title commitment shows title to the Developer Property to be unmarketable and uninsurable, then Developer shall cure such title defects prior to Closing 2, such cure to be completed by Developer no later than thirty (30) days after receipt by Developer of the title commitment. The Developer shall pay all cost and expenses related to curing any title defects, including, but not limited to, the payment of any recording fees for corrective instruments required hereunder. In the event that Developer fails to cure all title defects to the Developer Property within thirty (30) days after Developer's written notice to the County of said election so as to render title to Developer Property marketable and insurable, then this then the County shall have the right to drawn down on the ILOC in such amounts necessary to cure title defects.

10. SURVEY.

The Developer shall, at its sole cost and expense, obtain a current, certified boundary survey of the Developer Property prepared by a professional land surveyor licensed by the State of Florida. The Developer shall deliver the survey to the County no less than thirty (30) days prior to Closing 1. The survey shall be certified to the County, the Developer and the title company, and the date of certification shall be within sixty (60) days before the date of Closing 1, unless this sixty (60) day time period is waived by the Developer and the County for purposes of deleting the standard exceptions for survey matters and easements or claims of easements not shown by the public records from the owner's title policy. If the survey shows any encroachment on the Developer Property, or any portion thereof, or that any of the improvements on the Developer Property encroaches on the land of others, the same shall be regarded as a title defect and subject

to the provisions of Article 9 herein. After Closing 1, Developer shall not permit, suffer, or allow any encumbrance on the Developer Property.

11. SECURITY FOR DEVELOPER'S OBLIGATIONS.

11.1. At least Five (5) Business Days prior to the scheduled date of Closing 1, Developer shall provide the County with an ILOC in substantially the form attached as Attachment "5" to this Agreement, or a form acceptable to the County, in the amount of five million dollars ($5,000,000.00). The County shall be the sole beneficiary of the ILOC and the original ILOC shall be retained by the County. The ILOC shall secure the Developer's obligations to construct the County Facilities and convey the Developer Property to the County at Closing 2 in accordance with the terms of this Agreement. The ILOC shall be payable to the County on presentation of a demand or demands from the County to the issuer of the ILOC in the event the Developer defaults on any of its obligations under this Agreement, inclusive of the restrictive covenants on the Developer Property and the County Property. The ILOC shall continue to be effective through July 1, 2019, unless terminated sooner by the Issuer. The Issuer has the right to terminate annually, with 60 days' notice to Developer and County requiring the Developer to substitute another equally qualified Issuer for issuance of the ILOC. The Issuer shall pay the ILOC to the County if Developer fails to timely substitute the ILOC with an alternate Issuer that meets the qualifications for the ILOC prior to the expiration date. An ILOC shall be automatically extended without amendment for additional periods of one year from the present or future expiration date until notification of final release by the County. Other than Developer's failure to timely substitute an alternate ILOC in the event Issuer terminates, for County to draw on the ILOC it must: (a) declare a material default by Developer under any of the terms and/or covenants of this Agreement; and (b) provide a signed statement setting forth the reasonable, good faith estimate of the total anticipated cost to the County to assume, complete and satisfy all of the obligations of the Developer with respect to the development of the County Facilities and Closing 2 minus Two Million Five-Hundred Thousand U.S. Dollars ($2,500,000.00).

11.2. Environmental ILOC. Upon the completion of all testing and investigation necessary, as determined by RER-DERM, to ascertain the Environmental Conditions of the Developer Property and the reasonable costs to clean up, remediate and/or address same, RER-DERM shall estimate the reasonable cost of work, activities, testing and/or monitoring necessary to address the Environmental Conditions or defects on the Developer Property and/or to any other surrounding properties or right-of-ways (which Environmental Conditions or defects were caused by the condition of and/or activities on Developer Property). Within twenty (20) Business Days' written notification by the County to the Developer notifying Developer of such costs, Developer shall provide the County with the Environmental ILOC in substantially the form attached in Attachment "6" to this Agreement in the amount determined by RER-DERM. The County shall be the sole beneficiary of the Environmental ILOC and the original Environmental ILOC shall be retained by the County. The Environmental ILOC shall secure the Developer's obligations under Article 6 of this Agreement. The Environmental ILOC shall be payable to the County on presentation of a demand from the County to the

issuer of the Environmental ILOC in the event the Developer defaults on any of its obligations under Article 6 of this Agreement. Once Developer has provided the County with the Environmental ILOC, the County shall issue an executed document, in a form reasonable satisfactory to the Developer, releasing the County's reversionary interest in the County Property.

12. CLOSING 1 FOR COUNTY PROPERTY AND POSSESSION.

Closing 1 shall take place on the later of: (1) the satisfaction of the conditions set forth in this Agreement for Closing 1; and (2) July 1, 2015, unless otherwise extended upon the mutual agreement of the Developer and the County or as otherwise set forth in this Agreement. At Closing 1: (a) the County will deliver to Developer a fully executed County Deed conveying the County Property and any improvements in "AS IS, WHERE IS CONDITION," without warranties or representations in substantially the form attached hereto as Attachment "1" of this Agreement; (b) the Developer will deliver to the County the Warranty Deeds for Developer Property in substantially the form attached hereto as Attachment "4"; and (c) the Developer shall deliver to the County fully executed restrictive covenants in favor of the County on the Developer Property and the County Property in substantially the forms attached hereto as Attachments "2" and "3", respectively. The County shall hold the Warranty Deed for the Developer Property in escrow and shall not record such Warranty Deed until Closing 2, or earlier, at the election of the County, if Developer materially breaches this Agreement. Developer shall have the right to take possession of the County Property immediately after Closing 1. Developer shall record the documents for Closing 1 in the following precise order: (a) restrictive covenant on the Developer Property in substantially the form attached hereto as Attachment "2"; (b) this Exchange Agreement; (c) the County Deed; and (d) the restrictive covenant on the County Property in substantially the form attached hereto as Attachment "3".

13. RESERVED.

14. DEVELOPMENT OF COUNTY FACILITIES.

The Developer shall undertake development of the County Facilities in accordance with the deadlines set forth herein and, in all instances, shall obtain Final Completion of the County Facilities on the Developer Property within four (4) years of the Effective Date. The Project Costs for the County Facilities shall not be decreased without the express, written approval of the County. The Developer Soft Costs charged to the Project Costs, or included as part of the Project Costs, shall not exceed $1,062,146.00.

14.1. Conformity of Plans. The Developer's plans, specifications, Construction Documents and all work by Developer with respect to the Developer Property and the construction of the County Facilities thereon shall be in conformity with this Agreement and all Applicable Law.

14.2. Design Plans Review and Approval Process.

(a) Developer shall submit design and Construction Documents to the County for review, coordination and approval of the County Facilities. For each submittal, Developer shall submit three sets of prints with the date noted on each print along with two CDs with such plans.

(b) Developer and the County acknowledge and agree that the Developer has provided the County with conceptual site layouts and plans, sections, and elevations for the County Facilities on the Developer Property, and which are attached hereto as Attachment "7".

(c) Developer shall complete seventy-five percent (75%) of the design for the County Facilities within two-hundred and forty (240) days from the Effective Date, and shall, on or before such deadline, submit such 75% plans to the County. The 75% plans shall show, without limitation, any/all work to be performed on the Developer Property, including site plans, architectural, engineering, structural, mechanical, electrical, landscape and plumbing plans; preliminary grading and drainage plans; soil tests; utilities; water and sewer service connections; vehicular and pedestrian traffic circulation plans, including locations of ingress and egress to and from the Developer Property and the County Facilities; curbs, gutters, and parkways, as applicable; lighting; locations for outdoor signage; and storage areas, all sufficient to enable the County to make an informed judgment about the schedule, estimate, design and quality of construction. Such 75% plans shall be based on the conceptual site layouts and plans, sections, and elevations previously approved by the County in accordance with Section 14.2(b) herein.

(d) Developer shall complete one-hundred percent (100%) of the design and have final Construction Documents for the County Facilities within three-hundred and sixty (360) days from the Effective Date. Along with the final Construction Documents, Developer shall provide the County with a construction schedule, prepared using a critical path method, prepared by the Developer's contractor, that identifies, coordinates and integrates the anticipated design and construction milestones for the County Facilities, inclusive of the Developer's responsibilities, reviews by governmental authorities having jurisdiction over the development of the County Facilities, and other activities as are necessary for the timely completion of the County Facilities.

(e) Upon receipt of each of the above-mentioned submittals, the County shall review same and shall, within thirty (30) days after receipt thereof (except for Attachment "7" for which the County shall have sixty (60) days from the Effective Date), advise Developer in writing of its approval or disapproval, setting forth in detail its reasons for any disapproval. In the event of a disapproval, Developer shall, within thirty (30) days after the date Developer receives such disapproval, make those changes necessary to meet the County's stated grounds for disapproval or request reconsideration of such comments. Within thirty (30) days of the County's response to such request for reconsideration, Developer shall, if necessary, resubmit such altered plans to the County. Any resubmission shall be subject to review and approval by the County, in accordance

with the procedure hereinabove provided for an original submission, until the same shall receive final approval by the County. The County and Developer shall in good faith attempt to resolve any disputes concerning the plans in an expeditious manner.

(f) The Developer and the County acknowledge and agree that the square footage of the County Facilities is subject to a reduction of up to fifteen percent (15%) of finished, interior space if required by the City Requirements. If at any time during the development of the County Facilities, as a direct result of a request by the County to change the design, square footage, finishes, fixtures and/or equipment provided for in the conceptual site layouts and plans, sections, and elevations for the County Facilities on the Developer Property depicted as Attachment "7" (once approved), Developer reasonably anticipates that the Project Costs will exceed $7,374,000.00, then Developer shall immediately notify the County of same and shall suggest revisions to the design, square footage, layout, finishes, fixtures and/or equipment of the County Facilities that would result in an adjustment of Project Costs to $7,374,000.00. The Developer and the County shall then meet and confer in order to agree on the necessary revisions, which revisions shall be subject to the approval of the County, not to be unreasonably withheld, conditioned or delayed. In the event that Developer elects to spend more than $7,374,000.00 on the Project Costs, it shall not be entitled repayment of said overage from the County.

(g) Upon the approval of the final Construction Documents for the County Facilities, Developer shall provide the County with a set of plans signed by all parties as approved. In the event any change occurs after approval of the final Construction Documents for the County Facilities, then Developer must resubmit the changed portion of the Construction Documents for the County's reasonable approval (unless the change is required by another governmental entity having regulatory authority over the development of the County Facilities in which case only notice to the County, not the approval of the County, is required.) In the event that any change to the final Construction Documents results in an anticipated decrease to the Project Costs, then Developer and the County shall work in good faith to identify additional improvements that can be provided by the Developer on the Developer Property so as to result in no net decrease to the Project Costs.

14.3. Permits. Developer shall obtain building permits for the County Facilities within five-hundred and fifty (550) days of the Effective Date. Developer acknowledges, understands and agrees that it is its responsibility to submit the final Construction Documents to the applicable and required governmental authority with sufficient time to enable review, comments and resubmittals by and to the governmental authorities, if necessary, so as to ensure that the permits are issued by the deadline contained herein.

14.4. Commencement of Construction. Developer shall have Commenced Construction within six hundred (600) days of the Effective Date and shall thereafter diligently and continuously undertake the construction of the County Facilities until Final Completion. The Developer agrees to utilize best efforts to comply with Section 2-1701 of the Code of Miami-Dade County, Florida ("County Code"), known as the Community Workforce Program, with a goal of having a minimum of 10% of the persons performing the construction trades and labor work for the development of the County Facilities be residents of Designated Target Areas (as such term is defined in Section 2-1701 of the County Code).

14.5. "As-Built" Plans and Ownership. At the completion of the entire Project, Developer shall provide to County three (3) sets of "as-built" plans and two CDs for the County Facilities. Developer shall cause the architect of the County Facilities to grant, in writing, the County a perpetual license to use the Construction Documents in connection with the development, modification, renovation and operation of the County Facilities.

14.6. Developer Development Obligations. The County's approval of any plans pursuant to this Article 14 is being undertaken pursuant to the County's proprietary, and not governmental or regulatory, capacity. The County's approval pursuant to this Article 14 shall not relieve Developer of its obligations under law to file such plans with any department of the County, the City of Miami, or any other governmental authority having jurisdiction over the issuance of building or other permits and to take such steps as are necessary to obtain issuance of such permits. Developer acknowledges that any approval given by the County pursuant to this Article 14, shall not constitute an opinion or agreement by the County that the plans are structurally sufficient or in compliance with any Applicable Laws, and no such approval shall impose any liability upon the County.

14.7. Facilities to be Constructed. The County shall not be responsible for any costs or expenses of development, design and/or construction of the Developer Property, including the County Facilities. After Final Completion, the Developer shall warrant to the County the condition of the County Facilities to be in good, workmanlike condition and free of any defects. The Developer shall be solely responsible for all cost overruns beyond the Project Costs resulting from the development of the County Facilities.

14.8. Connection of County Facilities to Utilities. Developer, at Developer's sole cost and expense, shall install or cause to be installed all necessary connections

between and for the County Facilities on the Developer Property, and the water, sanitary and storm drain mains and mechanical and electrical conduits and other utilities and shall pay for the additional cost, if any, of locating and installing new facilities for sewer, water, electrical, and other utilities as needed to service the County Facilities.

14.9. Art in Public Places. The County Facilities shall be subject to the Art in Public Places provisions in Section 2.11.15 of the Miami-Dade County Code and in the Dade County Guide to Art in Public Places which provisions of the County Code and Guide are incorporated herein by reference. The Developer shall transmit 1.5% of all capital costs (as defined by the County Code) to the Miami-Dade County Department of Cultural Affairs for Art in Public Places for the implementation of the Art in Public Places program and the contract(s) with the artist(s) for the County Facilities shall be between the artist(s) and the Art in Public Places Trust, in accordance with the County Code and Guide. Art in Public Places will work collaboratively with the Developer on the implementation of the Art in Public Places program pursuant to the requirements of the County Code and Guide. This sum shall be included in the Developer's Projected Hard Costs.

14.10. Liens. The Developer shall cause the County Facilities to be constructed in accordance with the Construction Documents free and clear of any Liens.

15. INSPECTIONS.

The County and/or its agent or designated representative shall be permitted to inspect the Developer Property upon reasonable notice, including, but not limited to, any and all improvements and/or County Facilities at any time prior to the Closing 2. The County and/or its agent or designated representative shall be permitted to conduct its own studies, tests, inspection, investigation, evaluation, surveys and/or examination of the Developer Property, including, but not limited to the roof, exterior walls, foundation, major appliances, electrical and mechanical systems, HVAC, plumbing, water and sewer pipes and lines, at its costs, as it deems necessary with or without prior written notice to the Developer, provided such studies, tests, inspection, investigation, evaluation, surveys and/or examination of the Developer Property does not damage the structural integrity of any the buildings or structures on the Developer Property. Notwithstanding the foregoing, the County, when acting in its regulatory or police function, shall be authorized to perform any and all inspections or investigations as needed to preserve public safety or welfare.

As part of the cost of developing this project for the County, the Developer agrees to pay up to a maximum of $6,000 per year towards the County's cost of inspecting the project. This amount can be part of the Developer Soft Costs as long as it does not decrease any of the hard cost of developing this project nor increase the Developer Soft Costs beyond the $1,062,146.00 cap set forth in this Agreement.

16. TAXES AND ASSESSMENTS FOR DEVELOPER PROPERTY.

County, a political subdivision of the State of Florida, is exempt from the payment of ad valorem taxes. Therefore, Developer shall continue to pay all ad valorem and any other taxes for the Developer Property to the day of Closing 2 and all taxes on the County Property on the day of, and after, Closing 1. It shall be Developer's responsibility to comply with Section 196.295, Florida Statutes by placing the appropriate amount of pro-rata taxes for Developer Property to the day of Closing 2 and any delinquent taxes in escrow with the Miami-Dade Tax Collector.

17. CLOSING 2.

Closing 2 shall take place no more than ninety (90) days after the date of Final Completion. Upon Closing 2, the Developer shall deliver to the County any and all keys to all locks on or about the Developer Property, including, but not limited to any structures on the Developer Property, and shall not retain or otherwise keep any keys to the Developer Property. At Closing 2, the County will deliver to Developer an executed release of that provision in the restrictive covenant on the County Property that prohibits Developer from transferring or conveying the County Property without the consent of the County. The County shall also cancel and release all but for $1,000,000.00 of the ILOC, which sum shall remain in the ILOC for six months after Closing 2 in order to guarantee Developer's obligations under this Agreement. The Environmental ILOC shall remain in place for six months after Closing 2 in order to guarantee Developer's obligations under Article 6 of this Agreement.

18. CLOSING COSTS.

The Developer shall bear the costs of Closing 1 and Closing 2, including without limitation, any and all attorneys' fees. The County and Developer acknowledge and agree that Developer shall be responsible for all closing costs associated with Closing 1 and Closing 2, including but not limited to, advertising costs, appraisal costs, survey costs, documentary stamp tax on the deeds, surtaxes on the deeds, transfer taxes, recording fees for all documents to be recorded, abstract or title insurance fees, attorneys' fees and real estate brokerage fees, and all expenses required under this Agreement. As to Closing 2, any and all expenses for electricity, water, sewer, waste collection, and personal property taxes, if any, and all revenue, if any, shall be prorated to the day prior to Closing 2 and shall be paid by Developer.

19. LOCATION OF CLOSING.

All Closings will take place at the offices of the attorneys for the Developer, or at a location mutually determined by the County and the attorneys for the Developer. Prior to the time of Closing 1, risk of loss for the County Property shall remain with the County unless and until the time of Closing 1 and shall the risk of loss shall thereafter belong solely to the Developer. Prior to the time of Closing 2, the risk of loss for the Developer Property shall remain with the Developer until the time of Closing 2.

20. DEVELOPER REPRESENTATIONS AS TO DEVELOPER PROPERTY.

A. **TENANCIES.** The Developer warrants and represents that no person or entity is occupying the Developer Property, and that there are no tenant(s) in the Developer Property, and that there are no agreements, leases, licenses, and/or understandings affecting the County's possession, use or occupancy of the Developer Property. The Developer hereby agrees and warrants that at the time of Closing 2, no person or entity, shall have any leasehold interest, or any other type of property interest, in the Developer Property other than the Developer.

B. **ACCESS.** The Developer warrants and represents to the County that there is legal and reasonably accessible ingress and egress to and from the Developer Property, which ingress and egress can be readily utilized by the general public.

C. **ZONING AND GOVERNMENTAL APPROVALS.** The Developer warrants that it has no knowledge of any zoning or building code violation(s), and that there are no restrictions, rules or regulations that will prevent or delay the timely conveyance of the Developer Property to the County. The Developer also warrants that it is not aware of any zoning restriction or any other type of restriction, rule violation or regulation, of any kind or nature, governmental or otherwise that would prevent the conveyance of the Developer Property, or any portion thereof to the County.

D. **DISCLOSURE.** The Developer warrants that there are no facts which materially and adversely affect the value of the Developer Property, the physical conditions of the Developer Property and/or which would inhibit, prevent or discourage the County or any future Developer from utilizing the Developer Property for the County's intended and anticipated uses.

21. THE COUNTY AND/OR DEVELOPER DEFAULT.

If the Developer default prior to Closing 1, the County shall have no obligation to proceed to Closing 1. Following Closing 1, if the Developer materially defaults under any of the terms and/or covenants of this Agreement, the County shall provide the Developer with written notice of such default and, unless otherwise specified by this Agreement, shall provide the Developer with thirty (30) days to cure such default. In the event that Developer fails to cure any material defaults within the allotted time, the County may exercise one or more of the following remedies:

(a) Record the Warranty Deed for the Developer Property;

(b) Draw down on the ILOC and/or the Environmental ILOC, as applicable, for all such amounts necessary to cure Developer's default;

(c) To the extent no Environmental ILOC is in place, exercise the County's right of reverter for violations of Article 6 of this Agreement; and

(d) Pursue any action at law or in equity as necessary to protect the County from the Developer's defaults and/or to fully compensate the County for the Developer's defaults.

Nothing herein shall be construed as limiting the Developer's liability to the County to the amount of the ILOC.

If the County materially defaults under any of the terms and/or covenants of this Agreement, the Developer shall provide the County with written notice of such default and, unless otherwise specified by this Agreement, shall provide the County with thirty (30) days to cure such default. In the event that the County fails to cure any material defaults within the allotted time, the Developer may pursue any action at law or in equity as necessary to protect the Developer from the County's defaults and/or to fully compensate the Developer for the County's defaults.

Notwithstanding anything contained herein to the contrary, in no event shall Developer or the County be liable to the other for lost profits and for consequential and/or incident damages. This clause shall survive the expiration and/or termination of this Agreement.

22. LITIGATION.

In the event of any litigation arising out of the terms and/or covenants of this Agreement, each party shall bear its own attorneys' fees and costs.

23. COUNTY AS SOVEREIGN.

The parties understand and expressly hereby agree that the proposed County Facilities is subject to various governmental considerations and approvals that are outside of the terms and conditions of this Agreement. Such considerations and approvals may be processed or considered by one or various agencies and/or departments of the County or the City of Miami in the normal course of business for those agencies and/or departments. The parties agree that the County shall not be liable in any manner, whatsoever, to any other party or person for the exercise of its governmental authority, regulatory powers and/or police powers or those of the City of Miami.

1. It is expressly understood that notwithstanding any provision of this Agreement and the County's status thereunder:

(a) The County retains all of its sovereign prerogatives and rights as a county under Florida laws and shall in no way be estopped or otherwise prevented from withholding or refusing to issue any approvals of applications for building, zoning, planning or development under present or future laws and regulations of whatever nature applicable to the planning, design, construction and development of the County Facilities or the operation thereof, or be liable for the same; and

(b) The County shall not by virtue of this Agreement be obligated to grant the Developer for any approvals of applications for building, zoning, planning or development under present or future laws and ordinances of whatever nature applicable to the planning, design, construction, development and/or operation of the Building.

2. Notwithstanding and prevailing over any contrary provision in this Agreement, any County covenant or obligation that may be contained in this Agreement, including but not limited to the following:

(a) To cooperate with, or provide good faith, diligent, reasonable or other similar efforts to assist, the Developer, regardless of the purpose required for such cooperation;

(b) To execute documents or give approvals, regardless of the purpose required for such execution or approvals;

(c) To apply for or assist the Developer in applying for any County, City of Miami or third party permit or needed approval; or

(d) To contest, defend against, or assist the Developer in contesting or defending against any challenge of any nature;

shall not bind the Board of County Commissioners, the Department of Regulatory and Economic Resources or any other County, city, federal or state department or authority, committee or agency to grant or leave in effect any zoning changes, variances, permits, waivers, contract amendments, or any other approvals that may be granted, withheld or revoked in the discretion of the County or other applicable governmental agencies in the exercise of its police powers; and the County shall be released and held harmless, by the Developer from any liability, responsibility, claims, consequential or other damages, or losses to the County Facilities and/or to any development on the County Property, and/or to the Developer or to any third parties resulting from denial, withholding or revocation (in whole or in part) of any zoning or other changes, variances, permits, waivers, amendments, or approvals of any kind or nature whatsoever. Notwithstanding any other provision of this Agreement, the County shall have no obligation to approve, in whole or in part, any application for any type of entitlement, variance, accommodation, waiver, etc. In no event shall a failure of the County to adopt or approve any application, process any matter in a timely manner, and/or provide any type of payment or reimbursement be construed as a breach or default of this Agreement.

24. ASSIGNMENT AND/OR LEASE.

The parties agree that prior to Closing 2, this Agreement and/or either of the Properties may not be conveyed, assigned or leased without the prior written consent of the County, which consent shall be within the County's sole and absolute discretion. Further, the parties specifically agree that any transferee, assignee or leasee, shall review

this Agreement and enter into a separate agreement acknowledging its duties and responsibilities to fulfill the terms of this Agreement in a timely manner.

25. **NOTICES.**

Any notice required or permitted to be given under this Agreement, unless otherwise agreed to herein, shall be delivered by hand, by the United States Post Office, sent Certified Mail, Return Receipt Requested, postage pre-paid, or by a nationally recognized overnight delivery service (such as FedEx), with the requirement of signature confirmation upon delivery, and addressed as described below, and all such notices will be deemed effective or received only upon receipt or refusal of delivery.

Notice to The Developer:	David Lederman, Esq. 318 Northwest 23rd Street Miami, Florida 33127
With a copy to:	Bruce Fischman, Esq. 9200 S. Dadeland Boulevard, #116 Miami, Florida 33156
Notice to the County:	Miami-Dade County Internal Services Department Director 111 N.W. First Street, Suite 2410 Miami, Florida 33128
With a copy to:	Miami-Dade County Office of the County Attorney 111 N.W. First Street, Suite 2800 Miami, Florida 33128 Attention: Monica Rizo, Esquire

26. **SUCCESSOR IN INTEREST.**

All of the terms of this Agreement, including but not limited to the representations, warranties and covenants of the parties, shall be binding upon and shall inure to the benefit of the parties to this Agreement and their respective successors, administrators and assigns.

27. **ENTIRE AGREEMENT.**

This Agreement constitutes full and final understanding between the parties as it pertains to the subject matter(s) contained herein and shall supersede and take precedence over any and all prior and contemporaneous agreements, and may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought.

28. **GOVERNING LAW.**

This Agreement has been negotiated and executed in Florida. The parties hereby agree that this Agreement shall be construed and governed in accordance with the laws of the State of Florida, without application of conflict of laws principles, and venue shall be in Miami-Dade County, Florida.

29. **SAVINGS CLAUSE.**

In the event any term or provision of this Agreement is determined by an arbitration panel, or appropriate judicial authority, to be illegal, ineffective, unenforceable or otherwise invalid, such provision shall be given its nearest legal meaning or be construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.

30. **NUMBERS AND GENDER.**

Whenever used in this Agreement, the singular shall include the plural, the plural shall include the singular, any gender shall include every other and all genders, and captions and paragraph headings shall be disregarded.

31. **CAPTIONS.**

The captions or headings in this Agreement are inserted for the convenience of reference only and shall not be deemed to alter any provision of this Agreement, or affect its meaning or construction.

32. **EXHIBITS.**

All references in this Agreement to exhibits, schedules, paragraphs, subparagraphs and sections refer to the respective subdivisions of this Agreement, unless the reference expressly identifies another document.

33. **BROKERAGE.**

There are no brokerage fees or commissions payable with respect to the conveyance of the County Property to the Developer and/or of the Developer Property to the County.

34. **AMENDMENTS.**

All amendments, changes and/or modifications to this Agreement must be in writing and signed by all parties, and with regard to the County, any amendments, changes and/or modifications must be signed by the then-current County Mayor or the County Mayor's designee after approval of the Board of County Commissioners.

35. **SURVIVAL.**

The covenants, disclosures, warranties, representations, indemnities, affirmations, and undertakings of the parties herein as set forth in this Agreement shall survive Closing 1 and Closing 2.

36. COUNTERPARTS.

This Agreement may be executed in counterparts and by each party on a separate but identical counterpart, each of which, when so executed and delivered shall be an original, but all of which together shall constitute one and the same instrument. The parties also hereby agree that the County and the Developer will execute this Agreement prior to the County's time or requirement for execution.

[THE REMINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
[ONLY THE SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective authorized representatives as of the date first hereinabove written, and they intend to be legally bound hereby to all of the terms and conditions of this Agreement.

The Developer:

MAPTON HOLDINGS LLC

a Delaware Limited Liability Company

By:_____

Name:_____

Witness/Attest:

Elizabeth Wilda
Witness/Attest:

Title: _____

STATE OF New York

SS:

COUNTY OF New York

The foregoing instrument was acknowledged before me this 10th day of June, 2015, by Moishe Mana, of (The Developer), a Florida _____ corporation _____ has produced _____ as identification.

(SEAL) FRAN MULNICK PARKER
Notary Public, State of New York
No. 02PA4818465
Qualified in Westchester County
Commission Expires October 3, 20 20

Notary Public-State of _____
Commission Number: _____

The County:

MIAMI-DADE COUNTY, FLORIDA,
a political subdivision of the State of Florida by its Board of County Commissioners

By: _____
Name: _____
Title: _____

ATTEST:

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

APPROVED FOR FORM AND LEGAL SUFFICIENCY

By:_____
Name:_____
Title: Assistant County Attorney

Instrument prepared by and returned to:
Leland Salomon, Deputy Director, RER
Miami-Dade County, Internal Services Department
111 N.W. 1 Street, Suite 2900
Miami, Florida 33128-1907

Folio No. : **01-3125-034-0830, 01-3125-044-0020, 01-3125-044-0010, 01-3125-034-0890**

---------- {{SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA} ----------

COUNTY DEED

THIS COUNTY DEED, made this day of , 2015, by Miami-Dade County, Florida, a political subdivision of the State of Florida, party of the first part ("County"), whose address is: Stephen P. Clark Center, 111 N.W. 1st Street, Suite 2460, Miami, Florida 33128, and the MAPTON HOLDINGS, LLC, a Delaware Limited Liability Company, party of the second part ("Mapton"), whose address is: 318 Northwest 23rd Street, Miami, Fl. 33127

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten ($10.00) Dollars, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged has granted, bargained and sold to the party of the second part, its heirs, successors and assigns forever, the following described lands lying and being in Miami-Dade County, Florida, ("Property"):

LEGAL DESCRIPTION

THE FOLLOWING PARCELS, ALL BEING LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA.

LOT 1 OF BLOCK 1, OF AN UNRECORDED PLAT OF THE FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, BEING OTHERWISE DESCRIBED AS FOLLOWS: WEST 62.27 FEET OF THE EAST 87.27 FEET OF THE NORTH 85 FEET OF THE SE 1/4 OF THE SW 1/4 , LESS THE EAST 5 FEET THEREOF AND LESS THE SOUTH 10 FEET THEREOF.

LOTS 2, 3, 4, 5, 6, 7, AND 8, BLOCK 1, INCLUSIVE, OF AN UNRECORDED PLAT OF FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 87.27 FEET WEST OF THE NORTHWEST CORNER OF THE SE 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN WEST 435.89 FEET TO POINT; THENCE RUN SOUTH 85.00 FEET TO A POINT; THENCE RUN EAST 435.89 FEET TO A POINT; THENCE RUN NORTH 85.00 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 10 FEET THEREOF.

LOTS 86 THROUGH 88, BOTH INCLUSIVE, OF CORRECTED MAP OF SPAULDING'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161 OF THE PUBLIC RECORDS OF MIAMI-DADA COUNTY, FLORIDA, LESS THE NORTH 5 FEET THEREOF.

THE SOUTH HALF OF LOTS 94 AND 95, OF CORRECTED MAP OF SPAULDING'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS A STRIP OF LAND 5 FEET IN WIDTH OFF THE EAST SIDE THEREOF

This grant conveys only the interest of the County and its Board of County Commissioners in the Property herein described and shall not be deemed to warrant the title or to represent any statement of facts concerning the same. This grant is subject to all covenants, conditions, restrictions, easements, rights-of-way, reservations, rights, agreements, and encumbrances, whether or not of record.

Pursuant to Florida Statute, Section 125.37, the County is making this grant and Mapton is conveying two parcels of land located at 2153 NW 2nd Avenue, Miami, FL 33127 and 2145 NW 2nd Avenue, Miami, FL 33127 ("Developer Property") to the County pursuant to that Exchange Agreement between Mapton and the County dated _____, 2015 and recorded at _____ in the public records of Miami-Dade County, Florida. Subject to Mapton's right under Section 11.2 of the Exchange Agreement to provide the County with the Environmental ILOC and the County thereby executing and recording a release of its reversionary interest in the Property, if Mapton defaults under any of its covenants and obligations under Article 6 of the Exchange Agreement and fails to cure said default within thirty (30) days of being notified by the County of its default, then at the option of the County, the Property shall then immediately revert to the County, along with any and all improvements thereon, without cost or expense to the County. In the event of such reverter, Mapton shall immediately deed the Property back to the County. The effectiveness of

the reverter shall take place immediately upon notice being provided by the County, regardless of the deed back to the County. The County may commence an action in law or equity, including without limitation, a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, including Mapton, violating or attempting to violate the terms of this Deed.

IN WITNESS WHEREOF Miami-Dade County has caused these representations to be executed in its name by its Board of County Commissioners acting by the Mayor of Miami-Dade County, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:
FLORIDA

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

MIAMI-DADE COUNTY,

BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____

Approved for legal sufficiency: _____

The foregoing was authorized by Resolution No.: _____approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____day of _____, 2014.

This instrument was prepared by:
Leland Salomon
Department of Regulatory and Economic Resources
Miami-Dade County
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

Return to:
Bruce Fischman
9200 South Dadeland Blvd., Suite 116
Miami, FL 33156

Folio Nos.: [ ] (Space reserved for Clerk)

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this _____ day of_____, 2015 ("Effective Date") by Mapton Holdings, LLC, a Delaware limited liability company ("Developer") and Miami-Dade County, a political subdivision of the State of Florida (the "**County**").

WHEREAS, the County has approved the conveyance to Developer, subject to the execution and recordation of this Declaration, of four parcels of real property located in the City of Miami, Florida, legally described as follows:

See **Exhibit "A"** attached hereto and made a part hereof (the **"Property"**); and

WHEREAS, Developer hereby acknowledges and agrees that this Declaration was an inducement and part of the consideration for the County to convey the Property to Developer,

NOW THEREFORE, Developer, as consideration for the conveyance of Property to Developer and other good and valuable consideration which the Developer acknowledges, Developer, including its heirs, successors and assigns, hereby voluntarily covenants and agrees to the following restrictions on the Property that are intended and shall be deemed to be covenants running with the land and binding upon Developer, its successors and assigns and which are imposed for the benefit of, and shall be enforceable by and through, the County:

1. The foregoing recitations are true and correct and are hereby incorporated herein by this reference.

2. Developer shall not assign, lease, or convey the Property to any person or entity without the prior written consent of the County, which may be withheld in the sole and absolute discretion of the County. No assignment, lease or conveyance of the Property, or any portion thereof, shall be permitted prior to Closing 2 (as such term is defined in that certain Exchange

Agreement between Developer and the County dated [ ]). Upon Closing 2, the County agrees to execute and allow Developer to record an instrument releasing Developer of the restrictions contained in this Section 2 of the Declaration.

3. A portion of the Property abuts an existing residential building and such property is legally described as follows:

Existing Residential Building:
The Wynwood Lofts Condominium, a condominium,according to Declaration of Condominium thereof, recorded in Official Records Book 23832 at page 2450, of the public records of Miami Dade County, Florida, f/k/a Lots 89, 90, 91, 92 and 93 LESS THE NORTH TEN (10) FEET THEREOF, OF THE CORRECTED MAP OF SPAULDING SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

See **Exhibit "B"** attached hereto and made a part hereof (the **"Height Limited Property"**)

Developer shall build no structures on the Height Limited Property that are taller than one-story and fifteen (15) feet in height from the ground ("Height Limitation"). In the event that the adjacent existing residential building is entirely demolished, this Height Limitation shall become void and be of no further force and effect.

4. This Declaration shall constitute a covenant running with the land on the property and shall be recorded in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon Developer, its successors, heirs and assigns until the earlier of: (a) thirty (30) years; or (b) such time as same is modified, amended, or released by mutual agreement with, and as evidenced by, resolution of Miami-Dade County; or (c) in the event the adjacent existing residential building is demolished. Developer agrees that acceptance of this Declaration is legally binding upon it, and does not in any way obligate or provide a limitation on the County.

5. This Declaration may not be amended or released without the written consent of the County.

6. **It** is acknowledged that the fair market value of the Property was determined, in part, on the assumption of the Height Limitation on development and that one purpose of the Height Limitation is to preserve the view corridor of the adjacent, existing residential building. It is further acknowledged that should Developer fail to comply with the Height Limitation on the Height Limited Property as set forth by this Declaration, the damages consequent upon such a breach are not readily ascertainable. As such, should Developer exceed the Height Limitation, then Developer shall pay to the County as a liquidated damage, and not as a penalty, an amount

of $1,033,386 per each additional story (each story deemed to equal approximately fifteen (15) feet in height) or any part thereof, built beyond the Height Limitation, up to a maximum amount of liquidated damages of $4,013,494. (As an example, if the Developer builds a two-story development on the property with a roof-top amenities such a pool, cabanas and bathrooms, so that the height of the building from the ground to the height of the tallest roof-top amenity is 38 feet from the ground, the Developer shall pay the County $1,033,386.00 x 2= $2,066,772.00 as a liquidated damages for building the equivalent of two stories beyond the Height Limitation.) If Developer pays the County liquidated damages as per this provision, the County releases Developer from the Height Limitation.

7. The County is the beneficiary of this Declaration and, as such, may enforce this Declaration by an action in law or equity, including without limitation, a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, violating or attempting to violate the terms of this Declaration.

8. If any covenant, restrictions or provision contained in this Declaration is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other covenant, restriction, condition or provision contained herein, all of which shall remain in full force and effect. This document shall be construed in accordance with the laws of the State of Florida and venue shall be in Miami-Dade County, Florida.

IN WITNESS WHEREOF, Mapton Holdings, LLC has caused this Declaration to be executed by its respective and duly authorized representative on this _____ day of _____, 2015.

Mapton Holdings, LLC, a Delaware limited liability company

By:_____

Name:_____

Title:_____

_____
Witness: _____

_____
Witness: _____

STATE OF _____

SS:

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by _____, of International Atlantic LLC, a Delaware limited liability company, whose title is _____ and s/he has produced _____as identification.

(SEAL)

_____

_____
Notary Public-State of_____
Commission Number: _____

MIAMI-DADE COUNTY, FLORIDA,
a political subdivision of the State of
Florida by its Board of County
Commissioners

By:_____

Name:_____

Title:_____

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

APPROVED FOR FORM AND LEGAL SUFFICIENCY

By: _____

Name: _____
Title: Assistant County Attorney

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

FOLIO NO 01-3125-044-0010 (205 NW 22ND LANE)
01-3125-044-0020 (251 NW 22ND LANE)
01-3125-034-0830 (270 NW 23RD STREET)
01-3125-034-0890 (2268 NW 2ND AVENUE)

THE FOLLOWING PARCELS, ALL BEING LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST IN MIAMI-DADE COUNTY, FLORIDA.

LOT 1 OF BLOCK 1, OF AN UNRECORDED PLAT OF THE FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, BEING OTHERWISE DESCRIBED AS FOLLOWS: WEST 62.27 FEET OF THE EAST 87.27 FEET OF THE NORTH 85 FEET OF THE SE 1/4 OF THE SW 1/4 , LESS THE EAST 5 FEET THEREOF AND LESS THE SOUTH 10 FEET THEREOF.

LOTS 2, 3, 4, 5, 6, 7, AND 8, BLOCK 1, INCLUSIVE, OF AN UNRECORDED PLAT OF FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 87.27 FEET WEST OF THE NORTHWEST CORNER OF THE SE 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN WEST 435.89 FEET TO POINT; THENCE RUN SOUTH 85.00 FEET TO A POINT; THENCE RUN EAST 435.89 FEET TO A POINT; THENCE RUN NORTH 85.00 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 10 FEET THEREOF.

LOTS 86 THROUGH 88, BOTH INCLUSIVE, OF CORRECTED MAP OF SPAULDING'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161 OF THE PUBLIC RECORDS OF MIAMI-DADA COUNTY, FLORIDA, LESS THE NORTH 5 FEET THEREOF.

THE SOUTH HALF OF LOTS 94 AND 95, OF CORRECTED MAP OF SPAULDING'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS A STRIP OF LAND 5 FEET IN WIDTH OFF THE EAST SIDE THEREOF

EXHIBIT "B"
LEGAL DESCRIPTION OF HEIGHT LIMITED PROPERTY

LYING WITHIN FOLIO 01-3125-044-0020 (251 NW 22ND LANE)

A "PORTION" OF LAND LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

LOTS 2, 3, 4, 5, 6, 7, AND 8, BLOCK 1, INCLUSIVE, OF AN UNRECORDED PLAT OF FIRST ADDITION OF WEAVER'S SUBDIVISION, MIAMI-DADE COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 87.27 FEET WEST OF THE NORTHWEST CORNER OF THE SE 1/4 OF SECTION 25, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN WEST 435.89 FEET TO POINT; THENCE RUN SOUTH 85.00 FEET TO A POINT; THENCE RUN EAST 435.89 FEET TO A POINT; THENCE RUN NORTH 85.00 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 10 FEET THEREOF.

SAID "PORTION" BEING THAT PART OF THE ABOVE DESCRIBED LANDS WHICH LIE EASTERLY OF THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF LOT 89, OF CORRECTED MAP OF SPAULDING SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 AT PAGE 161 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AND WESTERLY OF THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 93 OF SAID CORRECTED MAP OF SPAULDING SUBDIVISION.

SAID LANDS LYING IN AND BEING IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA.

This instrument was prepared by:
Leland Salomon
Department of Regulatory and Economic Resources
Miami-Dade County
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

Return to:
Bruce Fischman
9200 South Dadeland Blvd., Suite 116
Miami, FL 33156

Folio Nos.: [ ] (Space reserved for Clerk)

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this _____ day of_____, 2015 ("Effective Date") by Mapton Holdings, LLC, a Delaware limited liability company ("Developer") and Miami-Dade County, a political subdivision of the State of Florida (the "**County**").

WHEREAS, the County and the Developer have entered into that certain Exchange Agreement dated _____, 2015 and recorded at _____ in the public records of Miami-Dade County, Florida ("Exchange Agreement") wherein Developer has agreed, after construction and final completion of certain permanent improvements thereon, to convey to the County two parcels of real property located in the City of Miami, Florida, legally described as follows:

See **Exhibit "A"** attached hereto and made a part hereof (the **"Property");** and

WHEREAS, in exchange, the County is conveying four parcels of real property located in the City of Miami, Florida, to the Developer and the Developer hereby acknowledges and agrees that this Declaration was an inducement and part of the consideration for the County to convey the Property to Developer,

NOW THEREFORE, Developer, as consideration for the conveyance of Property to Developer and other good and valuable consideration which the Developer acknowledges, Developer, including its heirs, successors and assigns, hereby voluntarily covenants and agrees to the following restrictions on the Property that are intended and shall be deemed to be covenants running with the land and binding upon Developer, its successors and assigns and which are imposed for the benefit of, and shall be enforceable by and through, the County:

1. The foregoing recitations are true and correct and are hereby incorporated herein by this reference.

2. Developer shall not convey or assign the Property or any portion thereof and shall not encumber, or permit or suffer the encumbrance of, the Property in any way, including but not limited to, by lien, pledge, mortgage, assignment, lease, conveyance, lis pendens on, security interest, easement, license, covenant, condition, restriction or claim (collectively "Encumbrances") in, to or against the Property or any portion thereof to, by and/or for any person or entity without the prior written consent of the County, which may be withheld in the sole and absolute discretion of the County. Any Encumbrances or attempted Encumbrances of the Property shall be void and of no force, effect or validity. The term Encumbrances shall not include notices of commencement for the development of the County Facilities (as such term is defined in the Exchange Agreement) and nothing herein shall be deemed to preclude the filing of a notice of commencement.

3. This Declaration shall constitute a covenant running with the land on the property and shall be recorded in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon Developer, its successors, heirs and assigns until Closing 2 (as such term is defined in the Exchange Agreement) and/or the recordation by the County of the Warranty Deed from the Developer to the County for the Property.

4. This Declaration may not be amended or released without the written consent of the County.

5. The County is the beneficiary of this Declaration and as such may enforce this Declaration by an action in law or equity, including without limitation, a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, violating or attempting to violate the terms of this Declaration.

6. If any covenant, restrictions or provision contained in this Declaration is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other covenant, restriction, condition or provision contained herein, all of which shall remain in full force and effect. This document shall be construed in accordance with the laws of the State of Florida and venue shall be in Miami-Dade County, Florida.

IN WITNESS WHEREOF, Mapton Holdings, LLC, has caused this Declaration to be executed by its respective and duly authorized representative on this _____ day of _____, 2015.

Mapton Holdings, LLC, a Delaware limited liability company

By:_____

_____
Witness: _____

Name:_____

Title:_____

_____
Witness: _____

STATE OF _____

SS:

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by _____, of International Atlantic LLC, a Delaware limited liability company, whose title is _____ and s/he has produced _____as identification.

(SEAL)

_____

_____
Notary Public-State of_____
Commission Number: _____

MIAMI-DADE COUNTY, FLORIDA,
a political subdivision of the State of
Florida by its Board of County
Commissioners

By:_____

Name:_____

Title:_____

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

APPROVED FOR FORM AND LEGAL SUFFICIENCY

By: _____

Name: _____
Title: Assistant County Attorney

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EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

FOLIO NO 01-3125-051-0010 (2153 NW 2 AVE Miami, FL 33127-4826)
01-3125-051-0020 (2145 NW 2 AVE Miami, FL 33127-4826)

ALL OF LOTS A AND B OF HALL AND MORGAN'S RE-SUBDIVISION OF BLOCK 6 OF JOHNSON AND WADDELL'S ADDITION TO THE CITY OF MIAMI, FLORIDA, AS RECORDED IN PLAT BOOK 7, PAGE(S) 59, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS A STRIP OF LAND 6.5 FEET IN WIDTH OFF THE WEST SIDE FOR ROAD PURPOSES.

PARCEL 1:

LOT D, LESS THE WEST 7 FEET, BLOCK 6, OF A RESUBDIVISION OF BLOCK 6 & LOTS 1-4, BLOCK 15, JOHNSON & WADDELL ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE(S) 59, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL II:

LOT C, BLOCK 6, OF A RESUBDIVISION OF BLOCK 6 & LOTS 1-4, BLOCK 15, JOHNSON & WADDELL ADDITION, ACCORDING TO THE MAP OF PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE(S) 59, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS RIGHT-OF-WAY OF N.W. 2ND AVENUE AS RECORDED IN DEED BOOK 523, PAGE 25, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Prepared by:
Gryska Sotolongo
Thomas G. Sherman, P.A.
90 Almeria Avenue
Coral Gables, FL 33134

Record and return to:
Bruce Fischman
9200 South Dadeland Blvd.,
Suite 116
Miami, FL 33156

Property Appraisers Parcel Identification (Folio) Number: 01-3207-013-0010

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED made this __ day of May, 2015 A.D. by **MAPTON HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY,** whose post office address is: **c/o M Management 215 Coles Street, Jersey City, NJ 07310** to: **MIAMI-DADE COUNTY, a political subdivision of the State of Florida** whose post office address is: **111 NW 1st Street, Suite # 2460, Miami, FL 33128,** (hereinafter called the "Grantee"):

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the said Grantee and Grantee's heirs, successors and assigns forever, all of that certain land, situate, lying and being in the County of Miami-Dade, State of Florida to wit:

Lots A and B, Block 6, of HALL AND MORGAN'S RE-SUBDIVISION of Block 6 of Johnson and Waddell's Addition to the City of Miami, Florida, according to the map or plat thereof, as recorded in Plat Book 7, Page(s) 59, of the Public Records of Miami-Dade County, Florida, Less a strip of land 6 and 1/2 feet in width off of the West side for road purposes.

This conveyance is made subject to the following:

1. Easements, rights of way, limitations, reservations, covenants and restrictions of records, if any, which are not hereby being re-imposed; and,

2. Zoning or other regulatory laws and ordinances affecting the land, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

- Warranty Deed -

Signed, sealed and delivered in our presence:

MAPTON HOLDINGS, LLC
A DELAWARE LIMITED LIABILITY COMPANY

Witness Name: _____

By: MAPTON REALTY CORP.
A DELAWARE CORPORATION,
ITS MANAGING MEMBER

By: _____
MOISHE MANA, PRESIDENT

Witness Name: _____

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

BEFORE ME, a Notary Public duly authorized to administer oaths and take acknowledgments in the State and County set forth above, personally appeared **MOISE MANA as PRESIDENT of MAPTON REALTY CORP., a Delaware corporation, as Managing Member of MAPTON HOLDINGS, LLC, a Delaware Limited Liability Company** who is personally known to me or who has produced _____ as identification, and he acknowledged before me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the state and county aforesaid, this ____ day of May, 2015.

_____
NOTARY PUBLIC

Print Name: _____

My Commission Expires: _____

(SEAL)

Prepared by:
Gryska Sotolongo
Thomas G. Sherman, P.A.
90 Almeria Avenue
Coral Gables, FL 33134

Record and return to:
Bruce Fischman
9200 South Dadeland Blvd.,
Suite 116
Miami, FL 33156

Property Appraisers Parcel Identification (Folio) Number: 01-3125-051-0020

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED made this __ day of May, 2015 A.D. by **MAPTON HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, whose post office address is: **c/o M Management 215 Coles Street, Jersey City, NJ 07310** to: **MIAMI-DADE COUNTY, a political subdivision of the State of Florida** whose post office address is: **111 NW 1st Street, Suite # 2460, Miami, FL 33128,** (hereinafter called the "Grantee"):

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the said Grantee and Grantee's heirs, successors and assigns forever, all of that certain land, situate, lying and being in the County of Miami-Dade, State of Florida to wit:

Parcel 1:

Lot D, LESS the West 7 feet, Block 6, of a Resubdivision of Block 6 & Lots 1-4, Block 15, Johnson & Waddell Addition, according to the map or plat thereof, as recorded in Plat Book 7, Page(s) 59, of the Public Records of Miami-Dade County, Florida, and

Parcel 2:

Lot C, Block 6, of a Resubdivision of Block 6 & Lots 1-4, Block 15, Johnson & Waddell Addition, according to the map or plat thereof, as recorded in Plat Book 7, Page(s) 59, of the Public Records of Miami-Dade County, Florida.

This conveyance is made subject to the following:

1. Easements, rights of way, limitations, reservations, covenants and restrictions of records, if any, which are not hereby being re-imposed; and,

2. Zoning or other regulatory laws and ordinances affecting the land, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

MAPTON HOLDINGS, LLC
A DELAWARE LIMITED LIABILITY COMPANY

_____
Witness Name: _____

By: MAPTON REALTY CORP.
A DELAWARE CORPORATION,
ITS MANAGING MEMBER

By: _____
MOISHE MANA, PRESIDENT

_____
Witness Name: _____

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

BEFORE ME, a Notary Public duly authorized to administer oaths and take acknowledgments in the State and County set forth above, personally appeared **MOISE MANA as PRESIDENT of MAPTON REALTY CORP., a Delaware corporation, as Managing Member of MAPTON HOLDINGS, LLC, a Delaware Limited Liability Company** who is personally known to me or who has produced _____ as identification, and he acknowledged before me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the state and county aforesaid, this ____ day of May, 2015.

_____
NOTARY PUBLIC

Print Name: _____

My Commission Expires: _____

(SEAL)

IRREVOCABLE DEVELOPMENT LETTER OF CREDIT

(On Bank/Issuer Letterhead)

BENEFICIARY: Miami-Dade County, Florida (the "County")

DEVELOPER: MAPTON HOLDINGS, LLC or designee (Address)

We hereby establish our Irrevocable Letter of Credit NUMBER: _____ ("Letter of Credit") in the County's favor and for the PRINCIPAL AMOUNT of $ 5,000,000.00 U.S. dollars to secure completion of the Developer's obligations to the County under that certain Exchange Agreement dated _____ between the County and Developer ("Exchange Agreement) upon material default thereof.

EXPIRATION: This Letter of Credit is effective as of _____. This Letter of Credit shall continue to be effective through July 1, 2018, but such expiration date shall be automatically extended without amendment for additional periods of one year from the present or future expiration date until notification of final release by the County.

This Letter of Credit cannot be revoked, terminated or cancelled unless the County approves any such revocation, termination or cancellation in writing.

Conditions to issuance draft on credit are as follows:

1. County must declare a material default by Developer under any of the terms and/or covenants of the Exchange Agreement.

2. County must provide a signed statement setting forth the reasonable, good faith estimate of the total anticipated cost to the County to assume, complete and satisfy all of the obligations of the Developer with respect to the development of the County Facilities and Closing 2 (as those terms are defined in the Exchange Agreement) minus Two Million Five-Hundred Thousand U.S. Dollars ($2,500,000.00).

We engage with you that we will fully honor any draft drawn at sight under this Letter of Credit provided that:

(1) Such draft is presented at our counters on or before the above-stated expiration date, or before such other extended expiration date as may result from any automatic extension/renewal of this Letter of Credit as hereinafter set forth;

(2) Such draft is accompanied by this original Letter of Credit;

(3) Such draft is marked "Drawn under Issuer's Irrevocable Letter of Credit No._____, Dated {Insert date}; and

(4) Such Draft is accompanied by a statement signed by an authorized official of the County that contains compliance with all conditions to issuance draft on credit as set forth above.

IRREVOCABLE DEVELOPMENT LETTER OF CREDIT

(On Bank/Issuer Letterhead)

BENEFICIARY: Miami-Dade County, Florida (the "County")

DEVELOPER: MAPTON HOLDINGS, LLC or designee (Address)

We hereby establish our Irrevocable Letter of Credit NUMBER: _____ ("Letter of Credit") in the County's favor and for the PRINCIPAL AMOUNT of $ _____ U.S. dollars to secure completion of the Developer's obligations to the County under Article 6 of that certain Exchange Agreement dated _____ between the County and Developer ("Exchange Agreement) upon material default thereof.

EXPIRATION: This Letter of Credit is effective as of _____. This Letter of Credit shall continue to be effective through July 1, 2018, but such expiration date shall be automatically extended without amendment for additional periods of one year from the present or future expiration date until notification of final release by the County.

This Letter of Credit cannot be revoked, terminated or cancelled unless the County approves any such revocation, termination or cancellation in writing.

Conditions to issuance draft on credit are as follows:

1. County must declare a material default by Developer under any of the terms and/or covenants of Article 6 of the Exchange Agreement.

2. County must provide a signed statement setting forth the reasonable, good faith estimate of the total anticipated cost to the County to assume, complete and satisfy all of the obligations of the Developer with respect to environmental testing, clean-up, remediation and monitory, all as more specifically set forth in Article 6 of the Exchange Agreement.

We engage with you that we will fully honor any draft drawn at sight under this Letter of Credit provided that:

(1) Such draft is presented at our counters on or before the above-stated expiration date, or before such other extended expiration date as may result from any automatic extension/renewal of this Letter of Credit as hereinafter set forth;

(2) Such draft is accompanied by this original Letter of Credit;

(3) Such draft is marked "Drawn under Issuer's Irrevocable Letter of Credit No._____, Dated {Insert date}; and

(4) Such Draft is accompanied by a statement signed by an authorized official of the County that contains compliance with all conditions to issuance draft on credit as set forth above.

ATTACHMENT 7

NEW PUERTO RICAN CHAMBER OF COMMERCE - MIAMI DADE COUNTY BUILDING

PRELIMINARY SCHEMATIC DESIGN , SUBJECT TO CHANGE

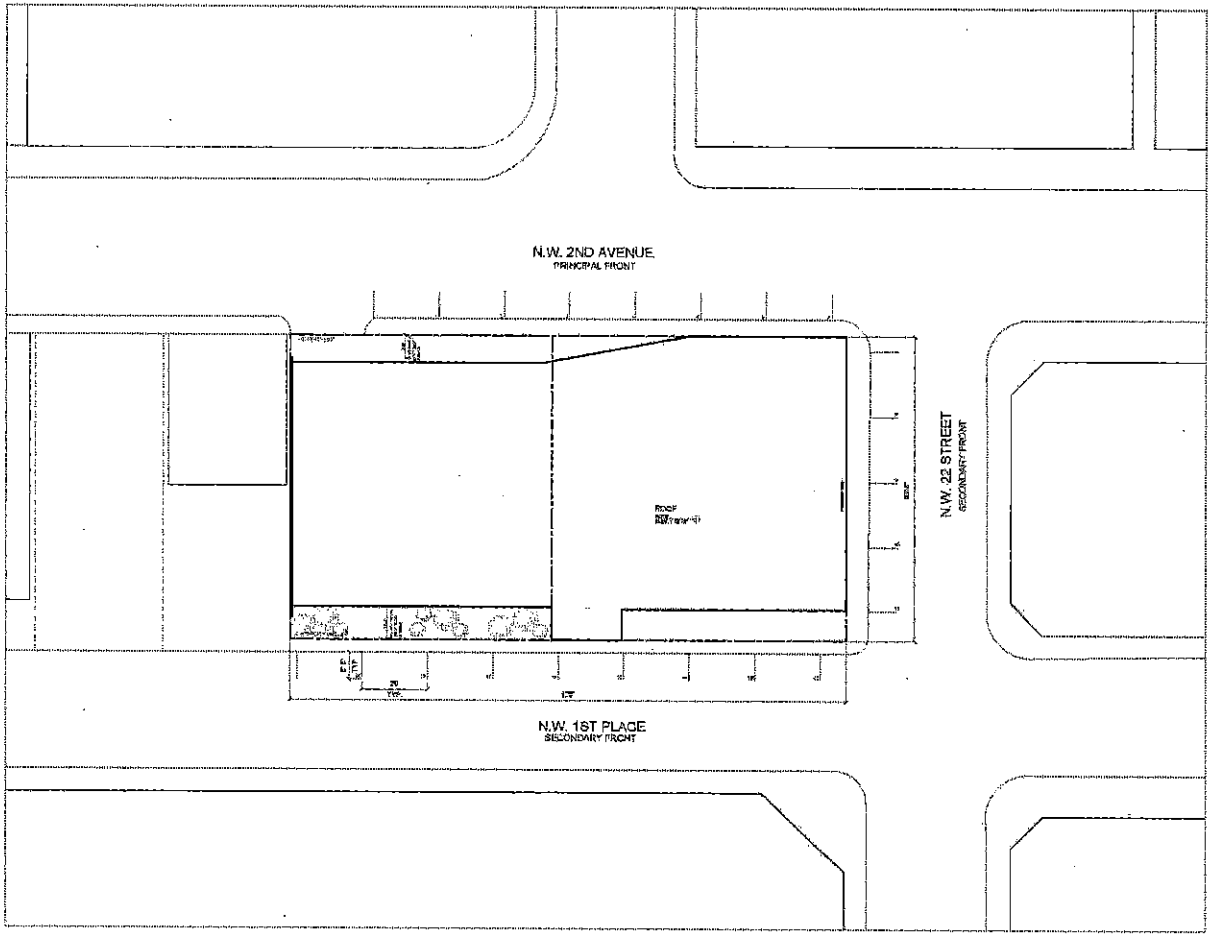
2153 NW 2ND AVENUE & 2146 NW 2ND AVENUE
MIAMI FL 33127

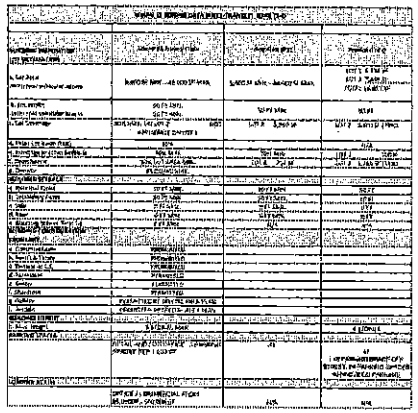
MAY 28TH, 2015

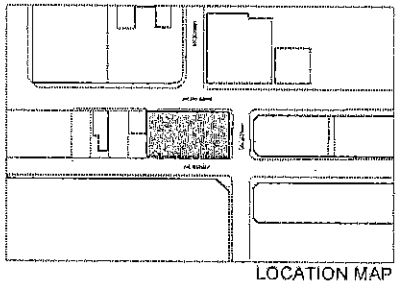
3

64


MANA WYNWOOD
BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 203 / MIAMI / FL 33127
P:305.200.5251 // bbamiami.com // AA 20002109







LOCATION MAP
SCALE: N.T.S.

MIAMI WYNWOOD

LAND SWAP OFFICE BUILDING
PRELIMINARY SCHEMATIC DESIGN
2150 NW 2ND AVE & 2145 NW 2ND AVE
MIAMI, FL 33127

SITE PLAN
SCALE: 1/32" = 1'-0"
MAY 28TH, 2015

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BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 202 / MIAMI / FL 33127
P:305.200.0251 // bbamiami.com // AA 26002102

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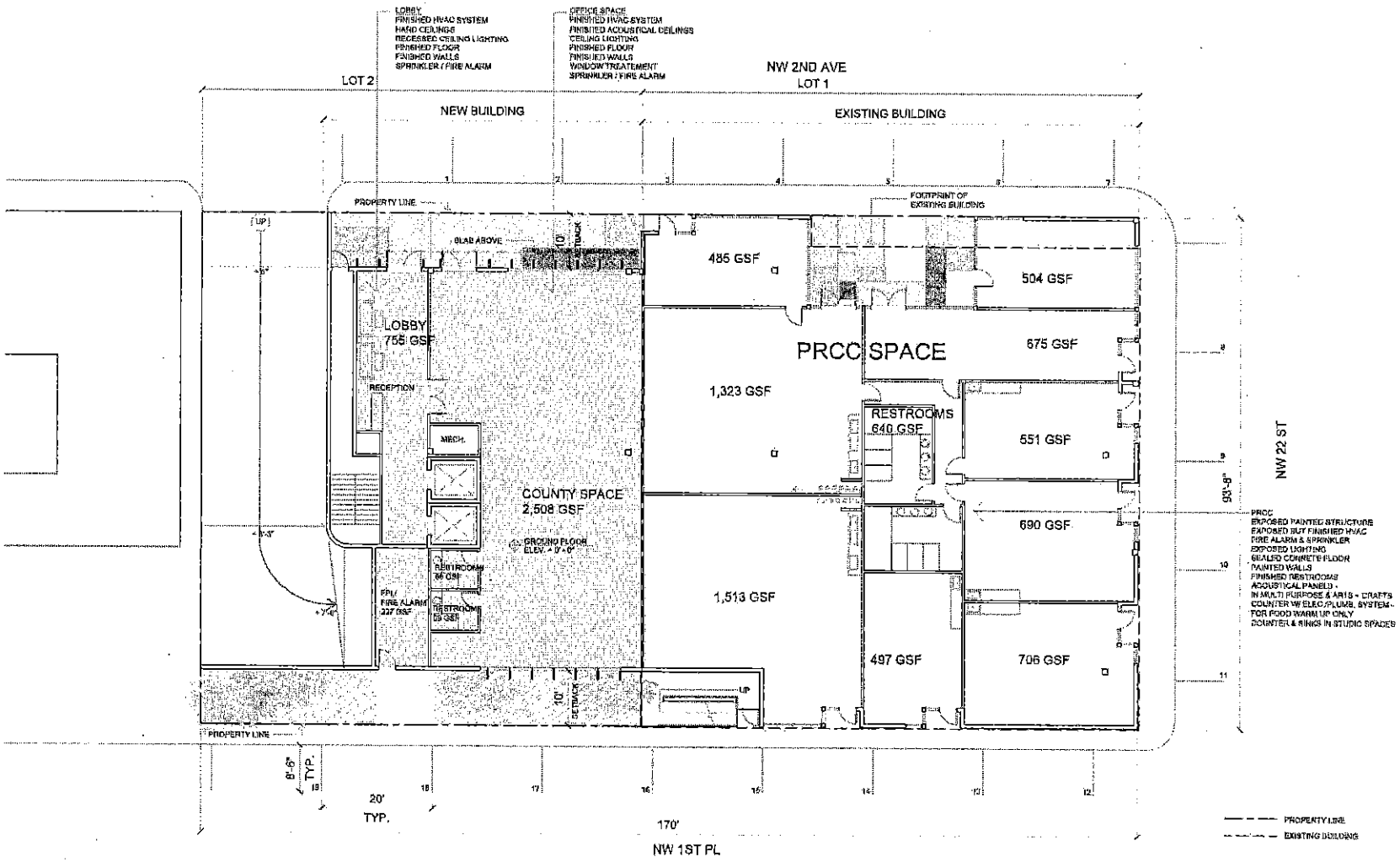

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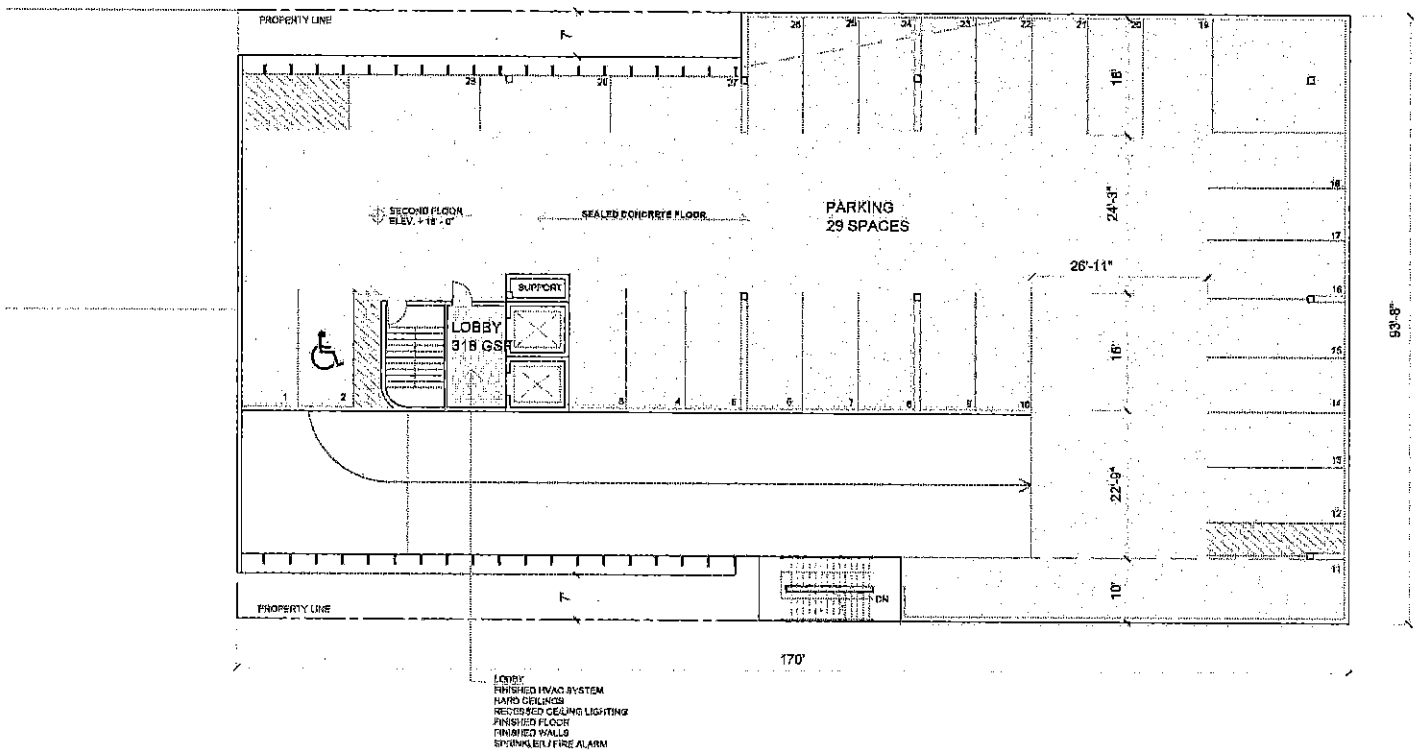
LAND SWAP OFFICE BUILDING // ADAPTIVE REUSE
PRELIMINARY SCHEMATIC DESIGN SUBJECT TO CHANGE
2150 NW 2ND AVE & 2148 NW 2ND AVE
MIAMI, FL 33127

GROUND FLOOR PLAN
SCALE: 1/16" = 1'-0"
MAY 28TH, 2015

N

BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 205 / MIAMI / FL 33127
P:305.200.5351 // bba@bba.com // AA 26002100



LAND SWAP OFFICE BUILDING
PRELIMINARY SCHEMATIC DESIGN SUBJECT TO CHANGE
2193 NW 2ND AVE & 2145 NW 2ND AVE
MIAMI, FL, 33127

SECOND FLOOR PLAN
SCALE: 1/16" = 1'-0"

MAY 28TH, 2015

N

BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 203 / MIAMI / FL 33127
P.305.299.5251 F (mailbox) cert # AA 26000109

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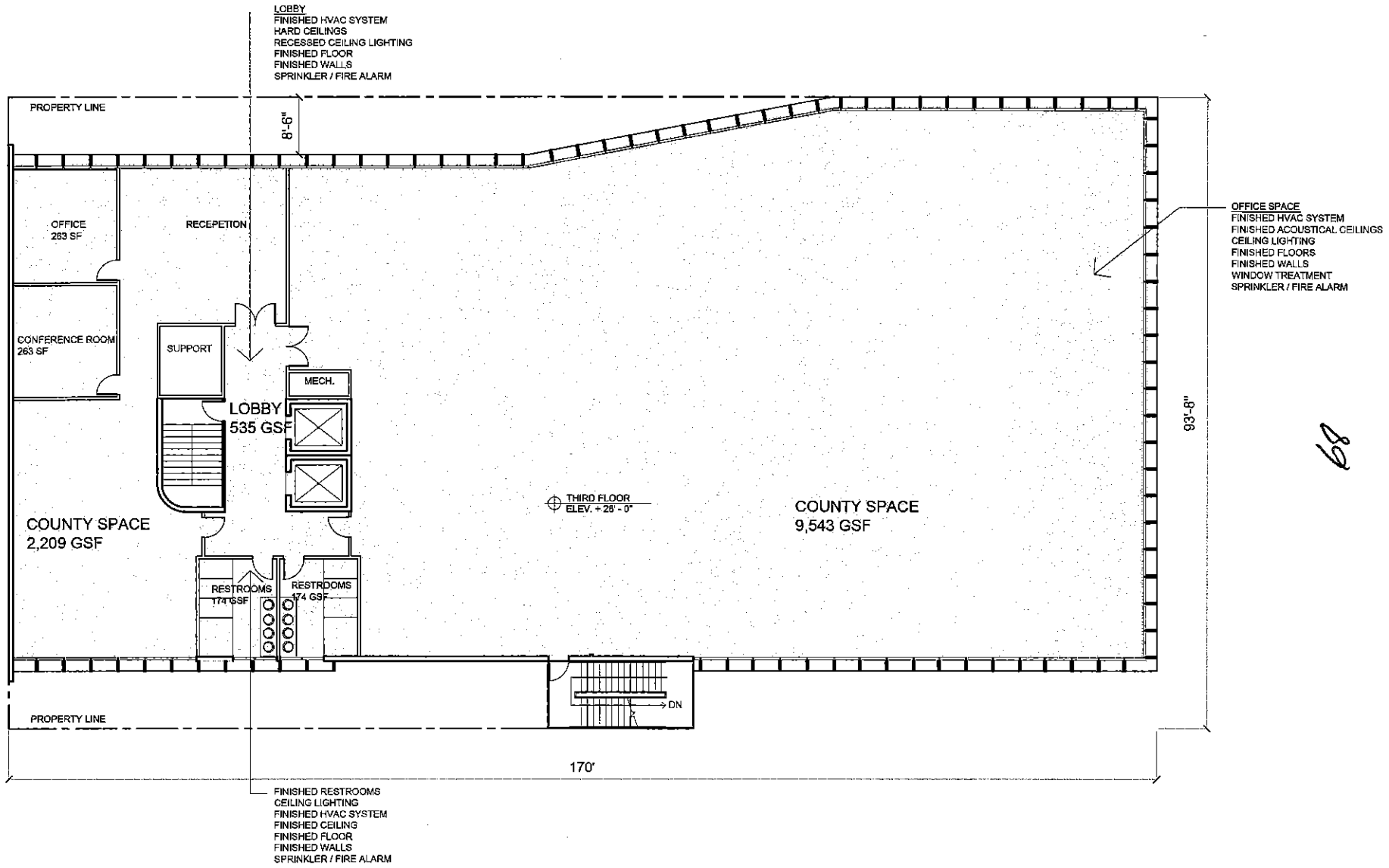

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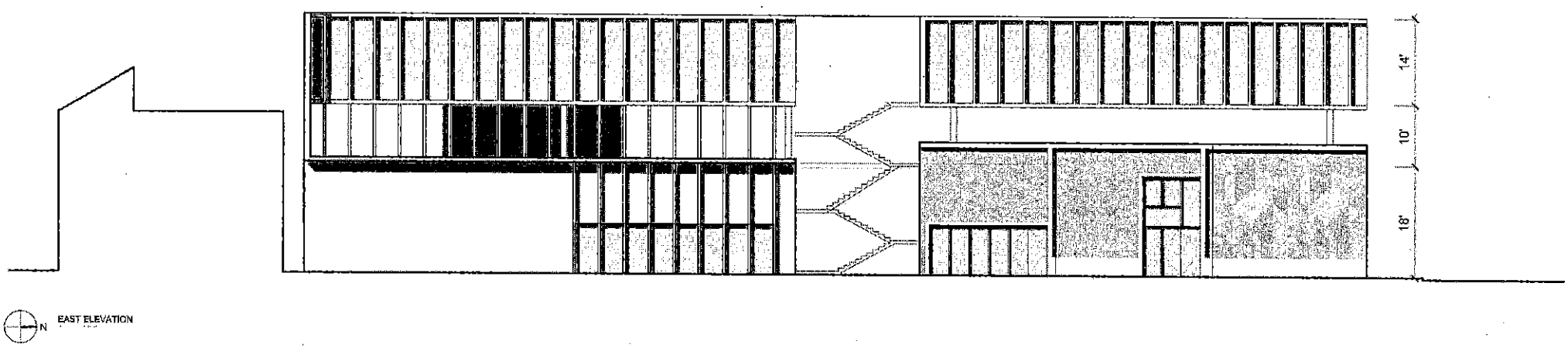
LAND SWAP OFFICE BUILDING
PRELIMINARY SCHEMATIC DESIGN
2153 NW 2ND AVE & 2145 NW 2ND AVE
MIAMI, FL, 33127

THIRD FLOOR PLAN
SCALE: 1/16 " = 1'-0"
MAY 15TH, 2015

N

BBA
BERENBLUM BUSCH ARCHITECTURE, I
2200 NW 2ND AVENUE / SUITE 203 / MIA
P:305.200.5251 // bbamiami.com // AA 260



LAND SWAP OFFICE BUILDING
PRELIMINARY SCHEMATIC DESIGN
2153 NW 2ND AVE & 2145 NW 2ND AVE
MIAMI, FL 33127

EXTERIOR ELEVATIONS

MAY 28TH, 2015

BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 203 / MIAMI / FL 33127
P.305.900.5251 // bbaaimg.com // AA 26002189

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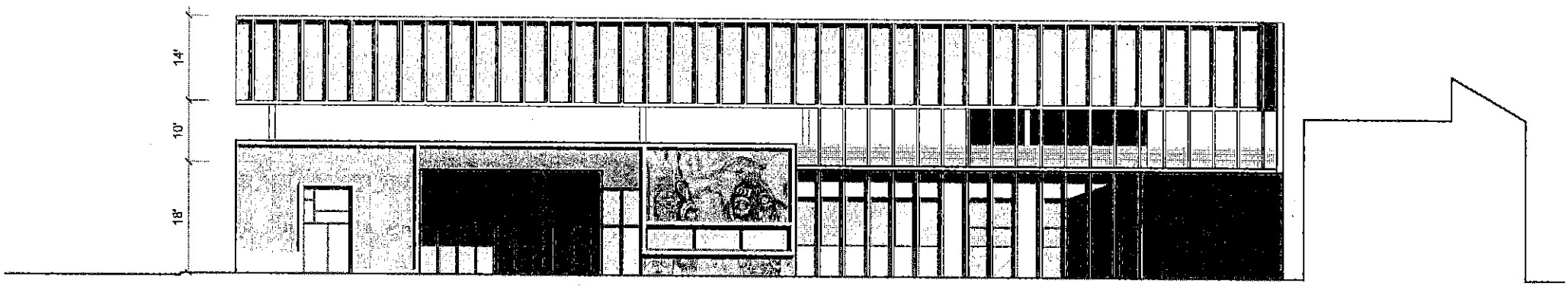

WEST ELEVATION

LAND SWAP OFFICE BUILDING
PRELIMINARY SCHEMATIC DESIGN
2163 NW 2ND AVE & 2145 NW 2ND AVE
MIAMI, FL 33127

EXTERIOR ELEVATIONS

MAY 28TH, 2015

BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 203 / MIAMI / FL 33127
P.305.856.5251 / bbaaiinfl.com / AA 26002108

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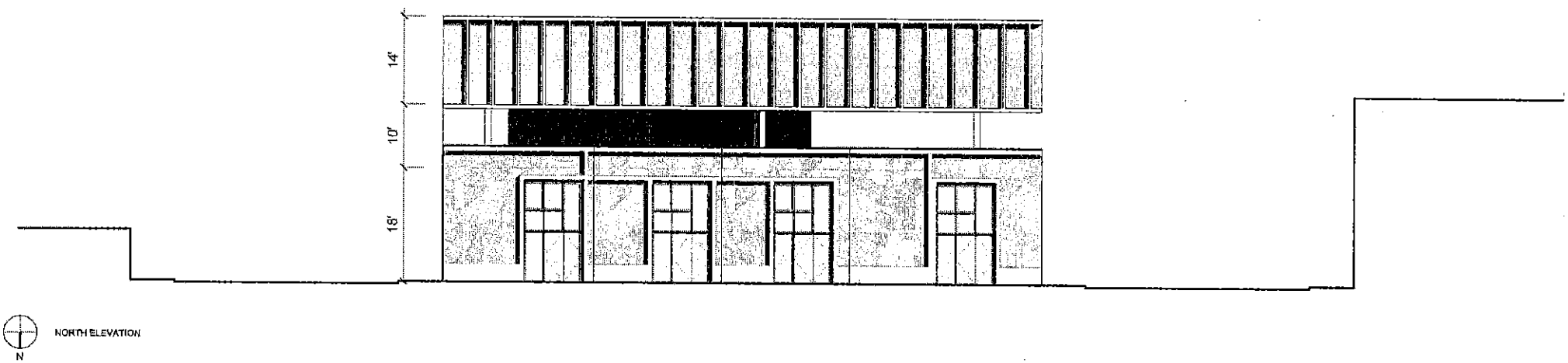

LAND SWAP OFFICE BUILDING
PRELIMINARY SCHEMATIC DESIGN
2155 NW 2ND AVE & 2145 NW 2ND AVE
MIAMI, FL. 33127

EXTERIOR ELEVATIONS
MAY 28TH, 2015

BBA
BERENBLUM BUSCH ARCHITECTURE, INC
2200 NW 2ND AVENUE / SUITE 202 / MIAMI / FL 33127
P.305.203.5251 // bbaminiaa.com // AA.26002108

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BBA BERENBLUM BUSCH ARCHITECTURE, INC

LAND SWAP AREAS [PRELIMINARY, SUBJECT TO CHANGE]
MAY 28TH, 2015

INTERIOR

GROUND FLOOR	MDC	PRCC	COMMON AREA
MDC SPACE	2,508 GSF		
PRCC SPACE (EXCLUDES PRCC RESTROOMS)		7,044 GSF	
LOBBY			755 GSF
RESTROOMS (PRCC + MDC)			778 GSF
MECH / SUPPORT / FPL/ FIRE ALARM			227 GSF
EMERGENCY STAIR			316 GSF
TOTAL GROUND FLOOR AREA	2,508 SF	7,044 SF	2,079 SF

SECOND FLOOR	MDC	PRCC	COMMON AREA
LOBBY			318 GSF
RESTROOMS			N/A
MECH / SUPPORT			41 GSF
EMERGENCY STAIR			163 GSF
TOTAL AREA	0 SF	0 SF	522 SF

THIRD FLOOR	MDC	PRCC	COMMON AREA
MDC SPACE	11,879 SF		
LOBBY			535 GSF
RESTROOMS			332 GSF
MECH / SUPPORT			206 GSF
TOTAL THIRD FLOOR AREA	11,879 SF	0 SF	1,073 SF

TOTAL INTERIOR AREA	14,387 SF	7,044 SF	3,674 SF	24,905 SF

EXTERIOR

GROUND FLOOR	OUTDOOR AREAS	
RAMP	2,097 GSF	
GREEN OUTDOOR	799 SF	
OUTDOOR LOBBY/ STAIR	776 SF	
PRCC PATIO	487 SF	
TOTAL	4,161 SF	

SECOND FLOOR	OUTDOOR AREAS	
RAMP	2,106 GSF	
MDC PARKING	8497 SF	(APPROX. 16 P.S)
[redacted]	[redacted]	(APPROX. 12 P.S)
STAIR	216 SF	
TOTAL	16,785 SF	

TOTAL OUTDOOR	20,944 SF

TOTAL BUILDING AREA	45,849 SF

** Areas based on drawings dated MAY 19TH, 2015
*** Final building layout, areas and parking are subject to final code verification, agencies review and may vary from what is currently shown.

MDC Miami-Dade County
PRCC Puerto Rican Chamber of Commerce

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MANA / BEAUCHAMP CONSTRUCTION COMPANY CGC1516384
PROJECT: MIAMI-DADE COUNTY / PUERTO RICAN CHAMBER OF COMMERCE
PROJECT DATA SHEET / CONCEPTUAL ESTIMANTE FOR "PROJECT COSTS"

PREPARED: 5/28/2015

UNIT / PARKING BREAKDOWN

BLDG/FLOOR #	UNITS		TOTAL # PARKING	TOTAL # BEDROOMS	TOTAL # BATHROOMS
1st FLOOR	NA			NA	NA
2ND FLOOR			29		
3rd FLOOR					
4th FLOOR					
ROOF					
TOTAL	0		29		

GROSS / NET SF ANALYSIS

FLOOR #	PARKING	TRASH/CORE STAIR/ELEV	PATIO/EXTERIOR COVERED AREA	COMMUNITY RMS & RESTROOMS	MDC OFFICES	PRCC MULTI-PURPSE/ STUDIOS/OFFICE	CORRIDOR / LOBBY / RESTROOMS	UNITS	NET SF TOTAL	GROSS SF TOTAL
	SF	SF	SF	SF	SF	SF	SF	SF		
1st FLOOR	2,119	1,324	1,286		2,508	7,044	1,533		9,552	15,814
2ND FLOOR	16,824	204					318		0	17,346
3rd FLOOR		-			11,679		1,073		11,679	12,752
ROOF									0	-
TOTAL	18,943	1,528	1,286	0	14,187	7,044	2,924	0	21,231	45,912
					67% OF NET SF	33% OF NET SF				

BUILDING RATIOS

NET SF/GROSS SF	46%	
NET SF/GROSS SF-PARKING	79%	
NET SF+BALCONIES/GROSS SF		
NET SF INCLUDES UNIT, RETAIL AND OFFICE		
AIR CONDITIONED SF	24,155	SF
PARKING/SPACE	653	SF

BUILDING INFORMATION

ELEVATED POOL DECK	NA		
NUMBER OF ELEVATORS	2		
LF OF BALCONY RAILING	NA	ALUM / GLASS RAILING	
LOUVERS/GRILLES		SF	
ROOF MECH SCREEN		SF	SPECIALTY ITEMS
STOREFRONT		SF	
SGD/WINDOWS		SF	

13

MANA / BEAUCHAMP CONSTRUCTION COMPANY CGC1516384 PREPARED: 5/28/2015

PROJECT: MIAMI-DADE COUNTY / PUERTO RICAN CHAMBER OF COMMERCE

PROJECT DATA SHEET / CONCEPTUAL ESTIMANTE FOR "PROJECT COSTS"

CONCEPTUAL COST ESTIMATE/ANALYSIS:	SF	EST. $/SF	EST. TOTAL
MIAMI-DADE COUNTY (MDC):			
MDC SPACE	14,187	$192	$2,723,904
MDC PORTION OF COMMON AREAS (67%)	1,954	$192	$375,145
PORTION OF PARKING (67%)	12,658	$85	$1,075,939
TOTAL HARD COSTS MDC			**$4,174,988**
PORTION OF SOFT COSTS (67%)			$709,748
TOTAL PROJECT COSTS MDC			**$4,884,736**
PUERTO RICAN CHAMBER OF COMMERCE (PRCC):			
PRCC SPACE	7,044	$192	$1,352,448
PRCC PORTION OF COMMON AREAS (33%)	970	$192	$186,263
PORTION OF PARKING (33%)	6,285	$85	$534,216
TOTAL HARD COSTS PRCC			**$2,072,927**
PORTION OF SOFT COSTS (33%)			$352,398
TOTAL PROJECT COSTS PRCC			**$2,425,325**
TOTAL CONSTRUCTION COSTS "HARD COST" PRCC AND MDC			**$6,247,915**
SELECTIVE DEMO OF EXISTING BUILDING ALLOWANCE			**$64,000**
"SOFT COST" ALLOWANCE (17%) OF HARD COSTS			**$1,062,146**
TOTAL "PROJECT COST"			**$7,374,061**

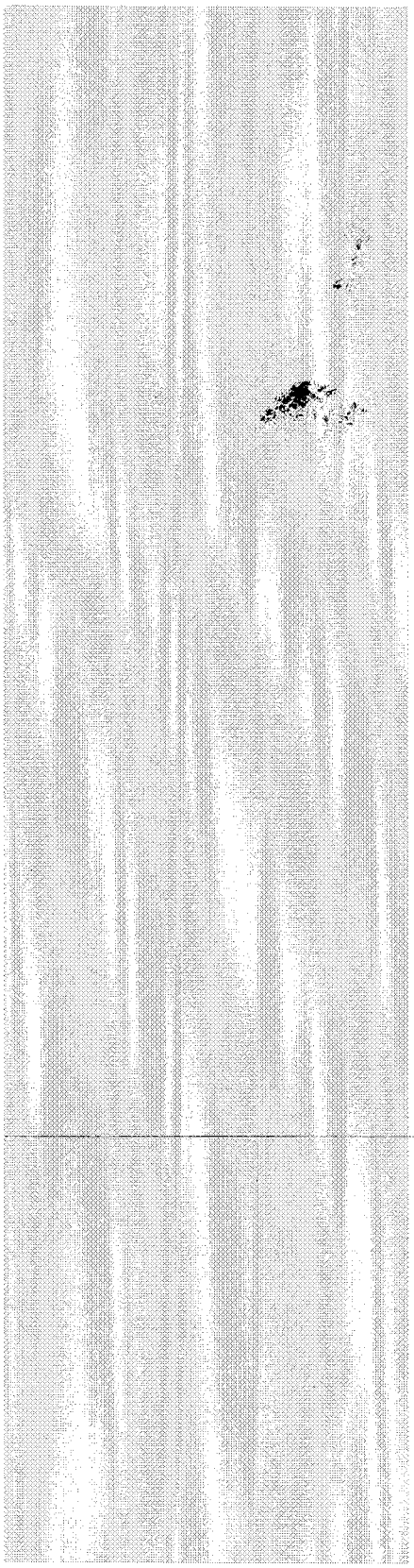
SUMMARY:	
TOTAL GROSS SF	**45,912**
ESTIMATED $/GROSS SF	**$136.08**
ESTIMATED CONSTRUCTION COSTS	**$6,247,915**
SELECTIVE DEMOLITION ALLOWANCE	**$64,000**
SOFT COST ALLOWANCE	**$1,062,146**
TOTAL "PROJECT COST"	**$7,374,061**

This is subject to the provisions of Section 14(f) of the Exchange Agreement.

Amendment to Item 11A5

Commissioner Edmonson desires to amend Item 11A5 in order to allow the Developer to deduct any expenses Developer is required to incur for environmental remediation on the County-owned property that is to be conveyed to the Developer. Under the restrictive covenant, the Developer is limited to building a one-story building on a large portion of that property and is required to pay liquidated damages in an amount not to exceed $4,013,494 if it violates the one-story limitation. This amendment would allow Developer to off-set any environmental remediation costs it incurs on the County property against any liquidated damages that it may owe the County. The County will not, however, ever be required to pay the Developer for those environmental remediation costs if they exceed the amount, if any, of liquidated damages.

Specifically, that portion of the restrictive covenant contained on handwritten pages 44-48 are to be replaced with the following pages which show the changes in track changes:



This instrument was prepared by:
Leland Salomon
Department of Regulatory and Economic Resources
Miami-Dade County
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

Return to:
Bruce Fischman
9200 South Dadeland Blvd., Suite 116
Miami, FL 33156

Folio Nos.: [ ] (Space reserved for Clerk)

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this _____ day of_____, 2015 ("Effective Date") by Mapton Holdings, LLC, a Delaware limited liability company ("Developer") and Miami-Dade County, a political subdivision of the State of Florida (the "**County**").

WHEREAS, the County has approved the conveyance to Developer, subject to the execution and recordation of this Declaration, of four parcels of real property located in the City of Miami, Florida, legally described as follows:

See **Exhibit "A"** attached hereto and made a part hereof (the **"Property"**); and

WHEREAS, Developer hereby acknowledges and agrees that this Declaration was an inducement and part of the consideration for the County to convey the Property to Developer,

NOW THEREFORE, Developer, as consideration for the conveyance of Property to Developer and other good and valuable consideration which the Developer acknowledges, Developer, including its heirs, successors and assigns, hereby voluntarily covenants and agrees to the following restrictions on the Property that are intended and shall be deemed to be covenants running with the land and binding upon Developer, its successors and assigns and which are imposed for the benefit of, and shall be enforceable by and through, the County:

1. The foregoing recitations are true and correct and are hereby incorporated herein by this reference.

2. Developer shall not assign, lease, or convey the Property to any person or entity without the prior written consent of the County, which may be withheld in the sole and absolute

discretion of the County. No assignment, lease or conveyance of the Property, or any portion thereof, shall be permitted prior to Closing 2 (as such term is defined in that certain Exchange Agreement between Developer and the County dated [~~)~~.] and recorded in the public records of Miami-Dade County at ("Exchange Agreement")). Upon Closing 2, the County agrees to execute and allow Developer to record an instrument releasing Developer of the restrictions contained in this Section 2 of the Declaration.

3. A portion of the Property abuts an existing residential building and such property is legally described as follows:

Existing Residential Building:
The Wynwood Lofts Condominium, a condominium, according to Declaration of Condominium thereof, recorded in Official Records Book 23832 at page 2450, of the public records of Miami Dade County, Florida, f/k/a Lots 89, 90, 91, 92 and 93 LESS THE NORTH TEN (10) FEET THEREOF, OF THE CORRECTED MAP OF SPAULDING SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 161 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

See **Exhibit "B"** attached hereto and made a part hereof (the **"Height Limited Property"**)

Developer shall build no structures on the Height Limited Property that are taller than one-story and fifteen (15) feet in height from the ground ("Height Limitation"). In the event that the adjacent existing residential building is entirely demolished, this Height Limitation shall become void and be of no further force and effect.

4. This Declaration shall constitute a covenant running with the land on the property and shall be recorded in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon Developer, its successors, heirs and assigns until the earlier of: (a) thirty (30) years; ~~or~~ (b) such time as same is modified, amended, or released by mutual agreement with, and as evidenced by, resolution of Miami-Dade County; ~~or~~ (c) in the event the adjacent existing residential building is demolished, or (d) pursuant to the terms of this Declaration. Developer agrees that acceptance of this Declaration is legally binding upon it, and does not in any way obligate or provide a limitation on the County.

5. This Declaration may not be amended or released without the written consent of the County.

6. It is acknowledged that the fair market value of the Property was determined, in part, on the assumption of the Height Limitation on development and that one purpose of the Height Limitation is to preserve the view corridor of the adjacent, existing residential building.

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~~6.~~7. It is further acknowledged that should Developer fail to comply with the Height Limitation on the Height Limited Property as set forth by this Declaration, the damages consequent upon such a breach are not readily ascertainable. As such, should Developer exceed the Height Limitation, then Developer shall pay to the County as a liquidated damage, and not as a penalty, an amount of $1,033,386 per each additional story (each story deemed to equal approximately fifteen (15) feet in height) or any part thereof, built beyond the Height Limitation, up to a maximum amount of liquidated damages of $4,013,494. ("Height Limitation Liquidated Damages"). (As an example, if the Developer builds a two-story development on the property with a roof-top amenities such a pool, cabanas and bathrooms, so that the height of the building from the ground to the height of the tallest roof-top amenity is 38 feet from the ground, the Developer shall pay the County $1,033,386.00 x 2= $2,066,772.00 as a liquidated damages for building the equivalent of two stories beyond the Height Limitation.) If Developer pays the County ~~liquidated damages~~, either directly or by way of set-off, the maximum amount of Height Limitation Liquidated Damages of $4,013,494 as per this provision, the County releases Developer from the ~~Height Limitation~~total Height Limitation. If Developer pays the County, either directly or by way of set-off, less than the maximum amount of Height Limitation Liquidated Damages, the County releases Developer from the Height Limitation only to the extent of payment or set-off as it equates to stories beyond the Height Limitation and Developer remains subject to the balance of the Height Limitation as set forth herein.

8. Developer shall, within 90 days of the recordation of this Declaration conduct a Phase II environmental site assessment of the County Property to determine the existence and extent, if any, of: (a) Hazardous Materials, Contaminants, or Environmental Conditions in violation of Environmental Laws (all capitalized terms as defined in the Exchange Agreement); or (b) toxic substances and hazardous waste on the Property in violation of Environmental Laws or the Environmental Covenants (as defined below) (both 8(a) and 8(b) hereinafter referred to as "Environmental Defects"). Should such Phase II inspection document Environmental Defects to the Property, then the Developer shall promptly and diligently quantify the reasonable cost to Developer to commence and complete any and all assessments (excluding the Phase I or Phase II), clean ups, repairs, and monitoring, and to remedy such Environmental Defects, to the satisfaction of all governmental authorities having jurisdiction over the Property and, as necessary, to obtain full compliance with any and all applicable governmental restrictions ("Remediation Expenses"). Developer may set-off against the Height Limitation Liquidated Damages set forth in paragraph 7 above all Remediation Expenses up to the maximum amount of Height Limitation Liquidated Damages set forth therein and, to the extent that Developer's actual Remediation Expenses are less than those originally estimated by Developer, then a reduction in the set-off shall be made.

9. "Environmental Covenants" shall mean those certain covenants to run with the land recorded in Official Records Book 1178 at pages 99-102 and Official Records Book 2003 at pages 298-301 of the public records of Miami Dade County, Florida.

~~7.~~10. The County ~~is the beneficiary~~and the Developer are both the beneficiaries of this Declaration and, as such, may enforce this Declaration by an action in law or equity,

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including without limitation, a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, violating or attempting to violate the terms of this Declaration.

~~8.~~ 11. If any covenant, restrictions or provision contained in this Declaration is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other covenant, restriction, condition or provision contained herein, all of which shall remain in full force and effect. This document shall be construed in accordance with the laws of the State of Florida and venue shall be in Miami-Dade County, Florida.

12.~~1.~~ In no event will the County be responsible for the payment to Developer of any of the Remediation Expenses. Developer simply has the right, to the extent that Developer exceeds the Height Limitation set forth herein, to set-off any Remediation Expenses incurred by the Developer as against the Height Limitation Liquidated Damages due to the County as set forth above.

IN WITNESS WHEREOF, Mapton Holdings, LLC has caused this Declaration to be executed by its respective and duly authorized representative on this _____ day of _____, 2015.

Mapton Holdings, LLC, a Delaware limited liability company

By:_____

Name:_____

Title:_____

_____
Witness: _____

_____
Witness: _____

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STATE OF _____

SS:

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by _____, of International Atlantic LLC, a Delaware limited liability company, whose title is _____ and s/he has produced _____as identification.

(SEAL)

_____

_____

Notary Public-State of_____

Commission Number: _____

MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida by its Board of County Commissioners

By:_____

Name:_____

Title:_____

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

APPROVED FOR FORM AND LEGAL SUFFICIENCY

By: _____

Name: _____
Title: Assistant County Attorney



MEMORANDUM

Agenda Item 11(A)6 Supplement

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Resolution approving Miami-Dade Economic Advocacy Trust Nominating Council's recommendation for the Trust of Trustees; and appointing Elbert Waters, Althea Harris, Katrina Wright, Steve Gallon, III, Brian Williams, Charlotte Pittman, Kareem J. Coney, Ruban Roberts, Michelle LaPiana, Craig Emmanuel and Dr. Larry Capp as Board of Trustees

Pursuant to Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

Attached for your information and review is the Commission Auditor's findings regarding Item 11(A)6 on today's agenda regarding Resolution approving Miami-Dade Economic Advocacy Nominating Council's recommendation for the Trust Board of Trustees; and appointing Elbert Waters, Althea Harris, Katrina Wright, Steve Gallon, III, Brian Williams, Charlotte Pittman, Kareem J. Coney, Ruban Roberts, Michelle LaPiana, Craig Emmanuel and Dr. Larry Capp as Board of Trustees.

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Resolution approving Miami-Dade Economic Advocacy Trust Nominating Council's recommendations for the Trust Board of Trustees; and appointing Elbert Waters, Althea Harris, Katrina Wright, Steve Gallon, III, Brian Williams, Charlotte Pittman, Kareem J. Coney, Ruban Roberts, Michelle LaPiana, Craig Emmanuel and Dr. Larry Capp as Board of Trustees**

Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

In accordance with that Resolution, we are providing this report as a supplement to the BCC Agenda Item 11(A)6.

Pursuant to R-636-14, the OCA completed background research regarding BCC Agenda Item 11(A)6, Resolution approving Miami-Dade Economic Advocacy Trust Nominating Council's recommendations for the Trust Board of Trustees and there were no adverse findings for the following nominees: Elbert L. Waters; Brian A. Williams; and Charlotte E. Pittman.

The following information was found pursuant to the Miami-Dade County Clerk of Courts public records search:

Craig Emmanuel

- April 18, 2011- Case No. 10-47053 CA 25- Final Judgment of Foreclosure- $170,412.79

Michelle Lapiana

- July 14, 2006- Claim of Lien- Marbella Park Homeowners' Association, Inc.- $1,479.00;
  - *November 17, 2006- Satisfaction of Lien.*
- August 18, 2009- Case No. 08-54424 CA 22- Final Default Judgment- $83,864.44 plus 11% interest until satisfied;
- January 5, 2010- Case No. 09-09376 SP 26- Final Judgment- $5,253.69 plus 8% interest until satisfied.

Althea Harris

- January 30, 2014- Notice of federal Tax Lien- $41,535.62;
    - *April 2, 2014- Certificate of Release of Federal Tax Lien- $41, 535.62.*

Steve Gallon, III

- April 20, 2000- Notice of Lien for Stormwater Utility Maintenance- $183.20 plus 8% interest until satisfied;
    - *January 29, 2001- Satisfaction of Lien- $183.20.*
- May 3, 2001- Notice of Lien for Sewer Connection Charges- $1,960.00.

Kareem J. Coney

- September 30, 2002- Case No. 02-21765 CC 25- Final Judgment for Removal of Tenant;
- September 20, 2007- Case No. 2007-15887 CA 15- Final Judgment of Foreclosure- $174,311.32;
- February 19, 2008- Case No. 2008-3734-CC-23- Final Judgment for Eviction;
- October 7, 2008- Case No. 08-32178 CC 23- Agreed Order Ratifying Settlement Stipulation with Reservation for Enforcement- $5,218.00;
- January 12, 2009- Case No. 08-039994 CC 23- Stipulation and Order for Dismissal- $5,218.00;
    - *February 5, 2009- Case No. 08-39994 CC23- Final Judgment for Eviction after Defaulted Stipulation*;
- June 15, 2009- Case No. 09-14910 CC 23- Judgment for Removal of Tenant;

Miami-Dade County Clerk Criminal Justice Search-

- May 15, 2009- Court Case No. B09028697- County Ordinance Charge: Alcohol/Posn/Store; Nolle Pros-Admin.

Ruban Roberts

- Miami-Dade County Clerk Criminal Justice Search- December 31, 1999- Court Case No. F99043803 Battery/AGG/Pregnant/Felony/ No Action; Battery/Misdedeanor/Reduced/ TRN CNTY CRT.

Larry Capp

- September 21, 1992- Case No. 92-8461 CC 23- Suggestion of Bankruptcy;
- June 16, 1994- Case No. 93-18561 CA 11- Summary Final Judgment and Taxation of Fees and Costs- $135,874.27;
- September 20, 2000- Notice of Federal Tax Lien- $12,237.69;
    - *June 25, 2003- Certificate of Release of Federal tax Lien- $12,237.69.*
- November 17, 2000- Claim of Lien- Star Lakes Association, Inc.- $9,432.59.

Katrina Wright

- June 2, 1994- Case No. 94-01884 CA 08- Final Judgment- $86,935.37.

MEMORANDUM

Agenda Item 11(A)7 Supplement

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division



SUBJECT: Resolution waiving by a two-thirds vote of the members present the term limit restriction for Citizens' Independent Transportation Trust member Dr. Anna E. Ward; authorizing the re-appointment of Dr. Anna E. Ward to the Citizens' Independent Transportation Trust for another term

Pursuant to Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

Attached for your information and review is the Commission Auditor's findings regarding Item 11(A)7 on today's agenda regarding the resolution waiving by a two-thirds vote of the members present the term limit restriction for Citizens' Independent Transportation Trust member Dr. Anna E. Ward; authorizing the re-appointment of Dr. Anna E. Ward to the Citizens' Independent Transportation Trust for another term.

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Resolution waiving by a two-thirds vote of the members present the term limit restriction for Citizens' Independent Transportation Trust member Dr. Anna E. Ward; authorizing the re-appointment of Dr. Anna E. Ward to the Citizens' Independent Transportation Trust for another term**

Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

In accordance with that Resolution, we are providing this report as a supplement to the BCC Agenda Item 11(A)7.

Pursuant to R-636-14, the OCA completed background research regarding BCC Agenda Item 11(A)7, Resolution waiving by a two-thirds vote of the members present the term limit restriction for Citizens' Independent Transportation Trust member Dr. Anna E. Ward; authorizing the re-appointment of Dr. Anna E. Ward to the Citizens' Independent Transportation Trust for another term, and there were no adverse findings.

MEMORANDUM

Agenda Item No. 11(A)(10)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving amendment to Implementing Order 2-12 relating to Miami-Dade County Diversion Program to include violations of sections 21-81(d)(1) through and including 21-81(d)(7) of the Code

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 6-10-15 Metropolitan Services Committee. This substitute differs from the original in that it incorporates the changes made to Implementing Order 2-12 by Resolution No. R-402-15, which was adopted by the County Commission on May 5, 2015 and became effective on May 15, 2015.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(10)
6-30-15

RESOLUTION NO. _____

RESOLUTION APPROVING AMENDMENT TO IMPLEMENTING ORDER 2-12 RELATING TO MIAMI-DADE COUNTY DIVERSION PROGRAM TO INCLUDE VIOLATIONS OF SECTIONS 21-81(D)(1) THROUGH AND INCLUDING 21-81(D)(7) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL RIGHTS CONTAINED THEREIN

WHEREAS, section 21-81 of the Code of Miami-Dade County, Florida (the "Code"), prohibits the commission of all acts defined as misdemeanors under Florida Statutes and declares commission of such acts to also be Code violations; and

WHEREAS, the Board of County Commissioners has amended section 21-81 of the Code to enact monetary civil penalties for certain violations as enumerated in sections 21-81(d)(1) through and including 21-81(d)(7) of the Code, as such civil penalties will act as an additional deterrent to such violations and would provide law enforcement with additional options when encountering a misdemeanant who has committed an enumerated offense; and

WHEREAS, the Board has amended Chapter 8CC of the Code to prescribe a specific monetary civil penalty for a violation of sections 21-81(d)(1) through and including 21-81(d)(7) of the Code; and

WHEREAS, the Board has amended section 8CC-5.1 of the Code to allow a violator of sections 21-81(d)(1) through and including 21-81(d)(7) of the Code who has been served with a civil violation notice imposing a monetary penalty to enter the Miami-Dade County Diversion Program, which would allow violators without the economic means to pay the fine to satisfy the penalty by non-monetary means; and

WHEREAS, Implementing Order 2-12 sets forth the guidelines and parameters of the Miami-Dade County Diversion Program; and

WHEREAS, the Board desires to amend Implementing Order 2-12 to include violations of sections 21-81(d)(1) through and including 21-81(d)(7) of the Code as eligible offenses for the Miami-Dade County Diversion Program as allowed for in section 8CC-5.1 of the Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves an amendment to Implementing Order No. 2-12, relating to the Miami-Dade County Diversion Program, in substantially the form attached hereto, and authorizes the County Mayor or the County Mayor's designee to exercise all rights contained therein.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Christopher A. Angell

Implementing Order

Implementing Order No.: 2-12

Title: MIAMI-DADE COUNTY DIVERSION PROGRAM

Ordered: [[~~09/10/2010~~]] >>[_____]<<[1] **Effective:** [[~~10/01/2010~~]] >>[_____]<<

AUTHORITY:
Section 1.01, 2.02 and 5.03(D) of the Miami-Dade County Home Rule Amendment and Charter.

>>SUPERSEDES:
This Implementing Order (I.O.) supersedes previous I.O. 2-12, ordered<< [[~~September 10, 2010, and effective October 1, 2010~~]] >>May 5, 2015, and effective May 15, 2015.<<[2]

POLICY:
On June 20, 2009, the Board of County Commissioners (Board) passed Resolution R-868-09 directing the Mayor or designee to study whether cost savings can be achieved through de-criminalizing selected Miami-Dade County ordinance violations. The resulting Diversion Program is based on findings included in the report requested by the Board. >>In 2015 the Board amended 8CC-10 to make additional misdemeanor offenses eligible for civil penalties and has amended 8CC-5.1 to make those additional offenses eligible for the Diversion Program. This amendment to 8CC-10 does not decriminalize these misdemeanors, but instead provides law enforcement with another avenue of resolution.<<

PURPOSE:
To seek compliance with Miami-Dade County Code violations, improve the quality of life in Miami-Dade County through community service hours, reduce the demands on the criminal justice and civil administrative hearing systems, and give violators penalty options to resolve their ordinance violations.

SCOPE:
The Miami-Dade Police Department (MDPD) will implement and administer the Miami-Dade County Diversion Program (Diversion Program) as outlined in this Implementing Order (IO). The Diversion Program was established by County Ordinance.

ELIGIBILITY:

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[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

[2] The differences between the substitute and the original item are indicated as follows: Words double stricken through and/or [[double bracketed]] shall be deleted, words double underscored and/or >>double arrowed<< are added.

When a violator is arrested or given a Civil Violation Notice (8-CC) for one of the Miami-Dade County Code violations listed below, he/she is eligible and may elect to voluntarily participate in the Diversion Program:

7-3	Swimming or fishing from prohibited roads or bridges
8A-172	Conducting business without a local business tax receipt
8A-276(b)	Failure to display commercial vehicle markings
21-28	Producing loud or excessive noise
21.31.2(b)(1)	Consumption of alcohol in open containers near store
21.31.2(b)(2)	Possession of alcohol in open containers near store
21.31.4(B)	Obstructing traffic or aggressively begging
>>21-81(d)	Any one of the specific misdemeanors enumerated in section 21-81(d)(1) through and including 21-81(d)(7)<<
>>21.287	Rafting<<
26-1	Park violations

This list of violations may be amended as appropriate to include additional Miami-Dade County Code violations eligible for the Diversion Program.

Violators can only participate in the Diversion Program a maximum of three times, regardless of the type of violation. Once the violator is no longer eligible, he/she must proceed with their case in the criminal or civil court systems.

PROCEDURE:

Civil Violations:

Presently, pursuant to Miami-Dade County Code Section 8CC-5, when someone is issued a Civil Violation Notice, he/she must either pay the civil penalty or request an administrative hearing within twenty (20) days from the date of the violation. The Diversion Program gives the violator further alternatives. If a violation is listed in the "Eligibility" section, the violator may elect to enter the Diversion Program and select from options including paying a fee, completing community service hours, or a combination thereof, instead of requesting an administrative hearing or paying a civil penalty.

Criminal Violations:

Pursuant to the Florida Rules of Criminal Procedure, when someone is arrested for an ordinance violation, he/she is entitled to a first appearance, arraignment and trial. Usually, the violator must wait until his/her case is set for arraignment, which can take from three to five weeks from the date of the arrest. Also, in some instances, the violator may qualify for a private diversion program; however, usually diversion programs are for first time offenders.

Anyone arrested or given a Notice to Appear for one of the Miami-Dade County Code violations listed above in the Eligibility section >>other than section 21-81(d)<< can voluntarily participate in the Miami-Dade County Diversion program, regardless of his/her criminal past.

>>Individuals that are criminally charged for violations enumerated in section 21-81(d) are not eligible for the Miami-Dade County Diversion program.<<

DIVERSION PROGRAM – VIOLATOR OPTIONS:

When [[a]] >>an eligible<< civil or criminal violator registers for the Diversion Program he/she has the following options which must be completed within 30 days from the issuance of the violation notice:

For Civil Violations:

OPTION 1 (Processing fee and complete community hours)

1) Pay $50 processing fee; and

2) Complete one day of community service for every $100 civil fines owed. ($100 fine = 1 day; $200 fine = 2 days; $300 fine = 3 days, etc.) One day of community service = 8 hours.

OPTION 2 (Community Service in lieu of any payment)

1) For Civil fines of $100 - complete 2 days of community service;
For Civil fines of $200 - complete 3 days of community service;
For Civil fines of $300 - complete 4 days of community service;
For Civil fines of $400 - complete 5 days of community service;
For Civil fines of $500 - complete 6 days of community service;

Once all of the above conditions are satisfied, a Certificate of Completion will be sent to the Clerk of the Court (Clerk) advising that the violator has complied and requesting that the civil case be closed. If the conditions of the Diversion Program are not satisfied by the violator within thirty days of the violation, the Clerk will be notified and asked to proceed with the civil collection process pursuant to Miami-Dade County Code Section 8CC-7, *Recovery of unpaid civil penalties, etc.*

For Criminal Violators – for all violations EXCEPT 8A-276(b), Failure to Display Commercial Vehicle Markings, >>and any one of the specific misdemeanors enumerated in section 21-81(d)(1) through and including 21-81(d)(7):<<

OPTION 3 (Processing fee and complete community hours)

1) Pay a $50 processing fee; and

2) Complete one day of community service for the first time enrollment in the Diversion Program; two days of community service for the second enrollment; or three days of community service for the third enrollment.

OPTION 4 (Community Service in lieu of any payment)

1) Complete two days of community service for first time enrollment in the Diversion Program; three days of community service for the second enrollment; or four days of community service for the third enrollment.

OPTION 5 (No Community Service Hours)

1) Pay a $50 processing fee and a $100 community service fee ($150 total) for the first time enrollment in the Diversion Program; pay a $50 processing fee and a $200 community service fee ($250 total) for the second enrollment; or pay a $50 processing fee and a $300 community service fee ($350 total) for the third enrollment.

Options for violations of 8A-276(b), Failure to Display Commercial Vehicle Markings:

OPTION 6 (Processing fee and complete community hours)

1) Pay a $50 processing fee; and

2) Complete two days of community service for first time enrollment; three days of community service for the second enrollment; or four days of community service for the third enrollment in the Diversion Program; and

3) Unless the vehicle has been sold, or another documented reason is provided, the violator must also ensure that affixed to the vehicle (that was driven at the time of arrest) is signage permanently marked on both sides in letters and numerals not less than three inches in height, with the name, address and telephone number of the owner thereof. Additionally, ensure that the numbers of all occupational and business licenses issued to the owner are similarly displayed. Upon correction of the violation, the vehicle or a photograph thereof shall be brought to the staff of the Diversion Program.

OPTION 7 (Community Service in lieu of any payment)

1) Complete three days of community service for the first time enrollment; four days of community service for the second enrollment; or five days of community service for the third enrollment in the Diversion Program; and

2) Unless the vehicle has been sold, or another documented reason is provided, the violator must also ensure that affixed to the vehicle (that was driven at the time of arrest) is signage permanently marked on both sides in letters and numerals not less than three inches in height, with the name, address and telephone number of the owner thereof. Additionally, ensure that the numbers of all occupational and business licenses issued to the owner are similarly displayed. Upon correction of

the violation, the vehicle or a photograph thereof shall be brought to the staff of the Diversion Program.

OPTION 8 (No Community Service Hours)

1) Pay a $50 processing fee and a $200 community service fee ($250 total) for the first time enrollment; pay a $50 processing fee and a $300 community service fee ($350 total) for the second enrollment; or pay a $50 processing fee and a $400 community service fee ($450 total) for the third enrollment; and

2) Unless the vehicle has been sold, or another documented reason is provided, the violator must also ensure that affixed to the vehicle (that was driven at the time of arrest) is signage permanently marked on both sides in letters and numerals not less than three inches in height, with the name, address and telephone number of the owner thereof. Additionally, ensure that the numbers of all occupational and business licenses issued to the owner are similarly displayed. Upon correction of the violation, the vehicle or a photograph thereof shall be brought to the staff of the Diversion Program.

For >>eligible<< criminal violations, once all of the above conditions are satisfied, a Certificate of Completion will be sent to the Miami-Dade Office of the State Attorney, County Court Division, for approval. The Certificate and the Arrest Form will then be given to the Clerk who will open and close the case in the Criminal Justice Information System (CIJIS) as a "Nolle Pros – PTD," or use any other entry that the Clerk deems appropriate. If the conditions of the Diversion Program are not satisfied by the violator within thirty days of the violation, the Arrest Form will be forwarded to the Clerk, who will be asked to proceed as quickly as possible with the arrest charges as outlined in the Florida Rules of Criminal Procedure.

ADDITIONAL REQUIREMENTS FOR BOTH 8-CC AND CRIMINAL VIOLATIONS OF 8A-172

If the violator has been charged with violating Section 8A-172, *Conducting business without a local business tax receipt,* the violator must also obtain a business license from the Miami-Dade County Local Business Tax Section and present the license or receipt to the staff at the Diversion Program, unless the violator provides written documentation to the contrary.

REGISTRATION BY MAIL

>>Eligible criminal<< [[~~Criminal~~]] violators have the option of performing community service hours or converting their hours into a monetary amount. If the violator chooses to pay a fee in lieu of completing community service hours, the conditions of the Diversion Program can be completed by registering by mail and submitting payment via a money-order payable to the Miami-Dade County Diversion Program. The police case number and the date of arrest should be noted on the money-order. To complete the conditions of the program by mail, the violator shall:

1) Complete and sign the registration form; and

2) Send a money-order for the amount owed:

3) Send the form and money-order with the amount owed to the Miami-Dade Police Department address indicated on the Diversion Program reference Materials and website.

*If the violator was cited for 8A-276(b), *Failure to display commercial vehicle markings*, please refer to the *Criminal Violation* section listed above for the appropriate amortization amounts. In addition, for 8A-276(b), the violator must also submit a clear photograph, or a copy thereof, illustrating that the vehicle that was cited is presently in code compliance or provide written documentation explaining why the vehicle has not been brought into compliance.

NOTE: If the violator was cited for a violation of 8A-172, *Conducting Business Without a Local Business Tax Receipt*, a copy of the business license or receipt thereof or written documentation explaining why the license has not been obtained must also be mailed together with the registration form and money-order.

Upon review of the submission as required above, the Diversion Program reserves the right to reject incomplete or noncompliant registrations.

HARDSHIPS

Upon written request, a Diversion Program supervisor may waive conditions or grant violators additional time to complete the conditions of the program on an individual basis. A hardship may be granted for several reasons such as, but not limited to, unforeseen emergencies, inclement weather, staffing, etc.

OTHER POLICE AGENCIES

MDPD will be the lead law enforcement agency referring violators to the Diversion Program. However, other police departments may wish to send violators whom they cite or arrest for county ordinance violations to the Diversion Program as well. >>Eligibility for violations of section 21-81(d)(1) through and including 21-81(d)(7) are outlined within section 21-81(d)<< [[~~In that event, such~~]] >>For other eligible violations, such<< other police departments and/or municipalities and/or government entities must enter into agreements with Miami-Dade County outlining the terms and conditions that must be met for violators referred from their police agency.

>>This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County.<<

>>County<< [[~~Manger~~]] >>Mayor<<

Approved by the County Attorney as
to form and legal sufficiency _____

Board of County Commissioners June 30, 2015

Commissioner Barbara Jordan Proposed Amendment to Agenda Item 11(A)(10)

I propose that the item be amended to read as follows:

- On handwritten page 8, after the full paragraph of the section labeled "Option 2 (Community Service in lieu of any payment)" add the following new paragraph: "Regardless of whether Option 1 or Option 2 above are selected, anyone receiving a civil violation notice for a violation of 21-81(d)(6) for Possession of Cannabis and/or 21-81(d)(7) for Possession of Drug Paraphernalia shall also be provided information concerning substance abuse assessment programs and substance abuse treatment programs. This information will be provided by the Diversion Program."

The amended language would read as follows:

OPTION 2 (Community Service in lieu of any payment)

1) For Civil fines of $100 - complete 2 days of community service;
For Civil fines of $200 - complete 3 days of community service;
For Civil fines of $300 - complete 4 days of community service;
For Civil fines of $400 - complete 5 days of community service;
For Civil fines of $500 - complete 6 days of community service;

Once all of the above conditions are satisfied, a Certificate of Completion will be sent to the Clerk of the Court (Clerk) advising that the violator has complied and requesting that the civil case be closed. If the conditions of the Diversion Program are not satisfied by the violator within thirty days of the violation, the Clerk will be notified and asked to proceed with the civil collection process pursuant to Miami-Dade County Code Section 8CC-7, *Recovery of unpaid civil penalties, etc.*

Regardless of whether Option 1 or Option 2 above are selected, anyone receiving a civil violation notice for a violation of 21-81(d)(6) for Possession of Cannabis and/or 21-81(d)(7) for Possession of Drug Paraphernalia shall also be provided information concerning substance abuse assessment programs and substance abuse treatment programs. This information will be provided by the Diversion Program.

MEMORANDUM

Agenda Item No. 11(A)(20)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution affirming Miami-Dade County's support of providing opportunities for its residents to learn and improve Spanish, Creole and English languages at no cost to such residents; authorizing the use of space at the County's four regional library branches to hold at least weekly classes for teaching such Spanish, Creole and English classes in the evening hours consistent with existing library hours

This item was amended at the 6-9-15 Unincorporated Municipal Service Area Committee to add the teaching of Creole and English classes at regional Miami-Dade Public Library branches. It was also amended to delete all references to payment for any cost by the County or Library Department, including the cost for criminal background checks for volunteer instructors. The item also was amended to also delete any references to adjustment of the 2014-15 Library Department budget or the 2015-16 Library Department budget.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto and Co-Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(20)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(20)
6-30-15

RESOLUTION NO. _____

RESOLUTION AFFIRMING MIAMI-DADE COUNTY'S SUPPORT OF PROVIDING OPPORTUNITIES FOR ITS RESIDENTS TO LEARN AND IMPROVE SPANISH, CREOLE AND ENGLISH LANGUAGES AT NO COST TO SUCH RESIDENTS; AUTHORIZING THE USE OF SPACE AT THE COUNTY'S FOUR REGIONAL LIBRARY BRANCHES TO HOLD AT LEAST WEEKLY CLASSES FOR TEACHING SUCH SPANISH, CREOLE AND ENGLISH CLASSES IN THE EVENING HOURS CONSISTENT WITH EXISTING LIBRARY HOURS; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK VOLUNTEERS AND TO WORK WITH ALL UNIVERSITIES AND COLLEGES IN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM TO PROVIDE INSTRUCTORS FOR SUCH CLASSES AT NO COST TO THE COUNTY

WHEREAS, >>the<<[1] Spanish>>, Creole and English languages are<< [[~~is a language~~]] deeply rooted in the historical and current culture of Miami-Dade County (the "County"); and

WHEREAS, this Board finds it in the best interest of the County to provide as many opportunities for the education of its adult and minor residents to learn the Spanish>>, Creole or English<< language>>s<<; and

WHEREAS, the universities and colleges located in Miami-Dade County as well as the Miami-Dade County Public School System ("Miami-Dade County Educational Institutions") employ instructors to teach, among other things, written and spoken Spanish>>, Creole and English<< to their respective enrolled students, and, in in the case of universities and colleges, >>to<< members of the general public for a tuition and/or fee; and

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[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

WHEREAS, there may be other individuals in the County qualified to teach Spanish>>, Creole and English<< language classes who teach spoken and written Spanish>>, Creole and English<< for a fee; and

WHEREAS, many residents of the County are unable to afford the tuition and/or fee to attend the Spanish>>, Creole and English<< classes offered by universities, colleges or private individuals; and

WHEREAS, this Board finds it is within the mission and purpose of the Miami-Dade Public Library System (the "Library Department") to educate County residents in learning and improving knowledge of the Spanish>>, Creole and English<< language>>s<<, and further finds it in the best interest of the County for the Library Department to provide Spanish>>, Creole and English<< language classes at no charge to the residents of the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board affirms the matters contained in the foregoing recitals which are hereby incorporated in this resolution by reference and are hereby approved.

Section 2. This Board affirms the County's commitment to the education of its minor and adult residents in the learning and improvement of knowledge of the Spanish>>, Creole and English<< language>>s<< and finds it within the scope of the Library Department's purpose and mission to provide such education.

Section 3. This Board directs the County Mayor or the County Mayor's designee to make space available at all four regional libraries after 5:00 p.m. on weekdays at least once per week for at least one hour per session, but within such libraries' normal operating hours, with such classes to be offered on different days at each of the regional libraries so as to maximize the availability of such classes. Such classes shall be for the instruction and education of both minor

and adult residents in the learning and improvement of knowledge in the proper speaking, reading and writing of the Spanish>>, Creole and English<< language>>s<< ("[[~~Spanish~~]]>>Language<< Classes").

Section 4. This Board directs the County Mayor or the County Mayor's designee to actively work to recruit qualified volunteers within the community to teach [[~~Spanish~~]] >>such Language<< Classes, including, but not limited to, volunteers who currently are Spanish>>, Creole or English<< instructors at Miami-Dade County Educational Institutions. The County Mayor or the County Mayor's designee shall use, among other things, the County's existing media platforms including the County's website and social network sites, to promote such recruitment.

Section 5. This Board further directs the County Mayor or the County Mayor's designee to work with the Miami-Dade County Educational Institutions to obtain the services of instructors from such institutions at no [[~~or nominal~~]] cost to the County and to comply with the County's requirements for criminal background checks for such instructors, with the cost of the criminal background checks being paid by the [[~~Library Department~~]] >>volunteering instructor or, alternatively, by any Miami-Dade County Educational Institution offering the services of such instructor<<.

[[~~**Section 6**. If a sufficient number of volunteer instructors cannot be recruited by the County Mayor or the County Mayor's designee, this Board directs the County Mayor or the County Mayor or the County Mayor's designee to negotiate, enter into and execute agreement(s) with one or more Miami-Dade County Educational Institutions for the provision of instructors for Spanish Classes, with such agreement(s) being subject to ratification by this Board at the next available meeting of this Board after execution of such agreement(s). Such agreement(s) shall~~

~~contain a provision that each such agreement(s) may be cancelled by the County at the County's discretion without cost or penalty to the County.~~

~~**Section 7.** If such agreement(s) involve or are associated with a cost to the County, this Board directs the County Mayor or the County Mayor's designee to identify expenditures for reduction in the amount of such cost from the appropriations in the Fiscal Year 2014-15 budget to the Library Department to offset such cost. Such identification shall be provided in writing to this Board at least seven calendar days prior to presentation of any such agreement(s) to the Board for ratification. This Board further directs the County Mayor or the County Mayor's designee to prepare an appropriate budget amendment to effectuate the foregoing, if necessary, and to bring such amendment back to this Board for approval.~~

~~**Section 8.** If funding is not available in the Fiscal Year 2014-15 budget to offset such cost, this Board directs that the County Mayor or the County Mayor's designee to include a plan for implementation of such agreement(s) as part of the Mayor's proposed Fiscal Year 2015-16 budget for the Library Department.~~]]

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto and the Co-Sponsor is Commissioner Rebeca Sosa. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Richard Seavey

BOARD OF COUNTY COMMISSIONERS MEETING – JUNE 30, 2015

COMMISSIONER HEYMAN'S PROPOSED AMENDMENTS TO AGENTA ITEM 11(A)20

Section 3 of the proposed Resolution shall be amended to read as follows:

Section 3. This Board directs the County Mayor or the County Mayor's designee to make space available at all [[~~four~~]] regional >>and sub-regional library branches (the West Dade, West Kendall, South Dade, North Dade, and Miami Beach regional branches and the Coral Gables and Northeast Dade – Aventura sub-regional branches)<< [[~~libraries~~]]after 5:00 p.m. on weekdays at least once per week for at least one hour per session, but within such libraries' normal operating hours, with such classes to be offered on different days at each of the regional >>and sub-regional<< libraries so as to maximize the availability of such classes. Such classes shall be for the instruction and education of both minor and adult residents in the learning and improvement of knowledge in the proper speaking, reading and writing of the Spanish, Creole and English languages ("Language Classes").

MEMORANDUM

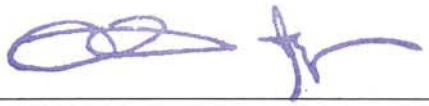
Agenda Item 11(A)21 Supplement

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division



SUBJECT: Resolution waiving by a two-thirds vote of members present the term limit restriction for Miami-Dade County Youth Commission Member Gia Castillo; and authorizing reappointment for additional term

Pursuant to Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

Attached for your information and review is the Commission Auditor's findings regarding Item 11(A)21 on today's agenda regarding Resolution waiving by a two-thirds vote of members present the term limit restriction for Miami-Dade County Youth Commission Member Gia Castillo; and authorizing reappointment for additional term.

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Resolution waiving by a two-thirds vote of members present the term limit restriction for Miami-Dade County Youth Commission Member Gia Castillo; and authorizing reappointment for additional term**

Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

In accordance with that Resolution, we are providing this report as a supplement to the BCC Agenda Item 11(A)21.

Pursuant to R-636-14, the OCA completed background research regarding BCC Agenda Item 11(A)21, Resolution waiving by a two-thirds vote of members present the term limit restriction for Miami-Dade County Youth Commission Member Gia Castillo; and authorizing reappointment for additional term and there were no adverse findings.

MEMORANDUM

Agenda Item No. 11(A)(22)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution establishing policy requiring, solely at the cost of a community redevelopment agency, the preparation and submission of an updated finding of necessity study that demonstrates that slum or blight still exists within a designated community redevelopment area whenever a community redevelopment agency seeks approval from the Board of County Commissioners to extend the life of such community redevelopment agency and the community redevelopment area

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(22)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(22)
6-30-15

RESOLUTION NO. _____

RESOLUTION ESTABLISHING POLICY REQUIRING, SOLELY AT THE COST OF A COMMUNITY REDEVELOPMENT AGENCY, THE PREPARATION AND SUBMISSION OF AN UPDATED FINDING OF NECESSITY STUDY THAT DEMONSTRATES THAT SLUM OR BLIGHT STILL EXISTS WITHIN A DESIGNATED COMMUNITY REDEVELOPMENT AREA WHENEVER A COMMUNITY REDEVELOPMENT AGENCY SEEKS APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS TO EXTEND THE LIFE OF SUCH COMMUNITY REDEVELOPMENT AGENCY AND THE COMMUNITY REDEVELOPMENT AREA

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

WHEREAS, the Act confers certain powers to counties with home rule charters, which such counties in their sole discretion may delegate to a municipality and/or a community redevelopment agency; and

WHEREAS, the purpose of the Act is to provide a mechanism for counties and municipalities to eliminate slum or blighted areas through the creation of such community redevelopment agencies; and

WHEREAS, prior to the creation of a community redevelopment agency, Section 163.355 of the Act states that "[n]o county or municipality shall exercise the community redevelopment authority conferred by this part until after the governing body has adopted a resolution, supported by data and analysis, which makes a legislative finding that the conditions in the area meet the criteria...," including the following conditions:

(1) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in such county or municipality; and

(2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of such county or municipality; and

WHEREAS, Section 163.340(7) of the Act defines the term "slum area" to mean the following:

> an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:
>
> (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
> (b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
> (c) The existence of conditions that endanger life or property by fire or other causes; and

WHEREAS, Section 163.340(8) of the Act also defines the term "blighted area as follows:

> an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:
>
> (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
> (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
(d) Unsanitary or unsafe conditions;
(e) Deterioration of site or other improvements;
(f) Inadequate and outdated building density patterns;
(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
(h) Tax or special assessment delinquency exceeding the fair value of the land;
(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
(j) Incidence of crime in the area higher than in the remainder of the county or municipality;
(k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
(l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
(m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity; and

WHEREAS, the Board of County Commissioners ("Board") has in the past expressed concerns related to among other matters, (1) certain activities undertaken by such community redevelopment agencies, (2) the extension of the lives of certain community redevelopment agencies and their community redevelopment areas, (3) such agencies' uses of tax increments funds, (4) the untimely submission of budgets for approval by this Board after the agencies have borrowed money, advanced funds or incurred indebtedness, and (5) the lack of County representation on the boards of these agencies; and

WHEREAS, this Board recognizes that the County has limited authority to restrict the uses of tax increment funds for activities of an existing community redevelopment agency when

those uses are consistent with the Act, the redevelopment plan approved by the Board, and the interlocal cooperation agreement with the agency; and

WHEREAS, in accordance with the Act, (1) once a trust fund is established by ordinance, the County and any other taxing authorities, if any, have an obligation to appropriate to the trust fund so long as any indebtedness is outstanding, which such obligation to appropriate shall not exceed 30 years; or (2) in the event the community redevelopment agency's redevelopment plan is amended and there remains any outstanding indebtedness, the County and any other taxing authorities shall have an obligation to appropriate to the trust for a period of 30 years from the date the redevelopment plan is amended but no more than 60 years from the date the original redevelopment plan was initially approved or adopted; and

WHEREAS, this Board has a fiduciary duty and responsibility to protect the interests of all taxpayers of Miami-Dade County, including but not limited to ensuring that taxpayers' dollars and the County's limited resources are spent to meet the needs of the residents of this County; and

WHEREAS, this Board recognizes that there are areas of the County where slum or blight will still exists even beyond the life of a community redevelopment agency, thus justifying an extension of the life of such community redevelopment agency and the community redevelopment area; and

WHEREAS, although this Board is not required to extend the life of a community redevelopment agency and the community redevelopment area as long as no debt secured by the implement is outstanding, this Board should proceed cautiously when requested by a community redevelopment agency to extend the life of such community redevelopment agency and the community redevelopment area, especially because of the potential fiscal impact of such decision on the County's general fund; and

WHEREAS, prior to making a decision to extend the life of a community redevelopment agency and the community redevelopment area such community redevelopment agency should be required to demonstrate to this Board that slum or blight still exists within the community redevelopment area; and

WHEREAS, this Board desires to establish a policy requiring each community development agency to prepare and submit to this Board an updated finding of necessity study that demonstrates that slum or blight still exists within a designated community redevelopment area whenever such community redevelopment agency seeks approval from this Board to extend the life of the community redevelopment agency and the community redevelopment area,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The matters contained in the foregoing recitals are incorporated in this resolution by reference.

Section 2. The Board establishes a policy requiring each community development agency to prepare and submit to this Board an updated finding of necessity study that demonstrates that slum or blight still exists within a designated community redevelopment area whenever such community redevelopment agency seeks approval from this Board to extend the life of the community redevelopment agency and the community redevelopment area. The costs of preparing the study shall be solely borne by the community redevelopment agency requesting the extension of the life the community redevelopment agency and the community redevelopment area. Further, any legislative item authorizing an extension of life of a community redevelopment agency and the community redevelopment area shall include a copy of the finding of necessity study as an exhibit to such item.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith

MEMORANDUM

Agenda Item No. 11(A)(27)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution condemning the Dominican Republic's impending mass deportation of Haitian immigrants

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(27)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	
_____	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(27)
6-30-15

RESOLUTION NO. _____

RESOLUTION CONDEMNING THE DOMINICAN REPUBLIC'S IMPENDING MASS DEPORTATION OF HAITIAN IMMIGRANTS

WHEREAS, a 2013 Dominican Republic court decision stripped away the citizenship of Dominicans born after 1929 to parents not of Dominican ancestry; and

WHEREAS, the ruling affected more than 200,000 Dominican citizens of Haitian descent, rendering them stateless; and

WHEREAS, following the court ruling, the Dominican Republic passed a law creating naturalization and regularization processes; and

WHEREAS, Dominicans of Haitian descent could become naturalized citizens through the naturalization process and undocumented migrant workers could obtain work permits through the regularization process; and

WHEREAS, those registering for naturalization will be granted citizenship if they have proper documentation and were formally registered when born in the Dominican Republic; and

WHEREAS, the naturalization process is challenging because many Dominicans of Haitian descent do not have proper paperwork and were not formally registered since they were born in rural areas without access to hospitals; and

WHEREAS, the regularization process required migrant workers to register and complete the process by June 17, 2015 or be deported; and

WHEREAS, Haitians make up a large percentage of migrant workers in the Dominican Republic, leaving a large population of Haitian immigrants at risk of deportation; and

WHEREAS, less than half of the Dominican Republic's estimated 500,000 migrant workers have started the regularization process; and

WHEREAS, the migrant workers who have registered for regularization have been granted a 45-day grace period to complete the process; and

WHEREAS, under-resourced immigration processing centers, as well as difficulties in obtaining appropriate paperwork and transportation to processing centers, have reportedly hampered people's ability to register and complete the regularization process; and

WHEREAS, there is a risk of illegal deportation of Dominicans of Haitian descent and migrant workers who have registered for regularization because the impending deportations will be large-scale and likely lack adequate screening mechanisms; and

WHEREAS, the Dominican Republic's treatment of Haitians predates the recent events concerning the possible mass deportation of Haitians; and

WHEREAS, the 1937 Parsely Massacre claimed the lives of thousands of Haitians after the Dominican Republic's dictator ordered the killing of those believed to be Haitian; and

WHEREAS, this Board condemns the Dominican Republic's impending mass deportation of Haitian immigrants given the human rights implications, risk of illegal deportations, and current ineffectiveness of the regularization process,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Condemns the Dominican Republic's impending mass deportation of Haitian immigrants.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to United States President Barack Obama, Dominican Republic President Danilo Medina, and United States Ambassador to the Dominican Republic James Brewster.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APP

Altanese Phenelus

MEMORANDUM

Agenda Item No. 11(A)(28)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	June 30, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing the Mayor to report to the Board regarding the past, current, and future management of special taxing districts

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(28)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(28)
6-30-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO REPORT TO THE BOARD REGARDING THE PAST, CURRENT, AND FUTURE MANAGEMENT OF SPECIAL TAXING DISTRICTS

WHEREAS, pursuant to the Miami-Dade County Charter, this Board is the governing board of all special taxing districts within Miami-Dade County; and

WHEREAS, the Public Works and Waste Management Department ("PWWM") currently manages over 1,000 active special taxing districts, which provide street lighting, security, and maintenance services to certain areas within Miami-Dade County; and

WHEREAS, it appears that numerous special taxing districts require a significant rate increase in the coming fiscal year, which indicates that prior years' rates were insufficient to pay for the level of service being provided by these districts; and

WHEREAS, the PWWM staff administering the County's special taxing districts has recently been significantly restructured; and

WHEREAS, it is important for this Board, as the governing Board of these districts, to be kept apprised of the management of the County's special taxing districts,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the Mayor or Mayor's designee to prepare a status report on the past, current, and future management of the County's special taxing districts. This report shall, at a minimum, identify and describe the management issues which led to the current need to significantly increase rates for numerous districts. Additionally, this report shall identify lessons

learned from the examination of the prior management structure overseeing special taxing districts, and shall also include a proposed plan for the future management and oversight of special taxing districts, together with a detailed description of how such proposed plan will contribute to the more efficient and effective management of special taxing districts.

Section 2. Directs the Mayor or Mayor's designee to provide the report identified in Section 1 to this Board within 30 days and place the completed report on an agenda of the Board pursuant to Ordinance 14-65.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban Bovo, Jr., Vice-Chairman

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Daniella Levine Cava	Jose "Pepe" Diaz
Audrey M. Edmonson	Sally A. Heyman
Barbara J. Jordan	Rebeca Sosa
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve

11B1

Date: **June 30, 2015**

To: Christopher Agrippa, Division Chief
Clerk of the Board

From: Barbara J. Jordan
Barbara J. Jordan
Commissioner, District 1

Subject: **District One allocations presented at the June 30, 2015, Board of County Commission Meeting**

I would like to make the following allocations from the District 1 Sony Ericsson Open district funds:

- $2,846.00 - Miami-Dade Parks Foundation ***(for district 1 community parks activity funds)***
- $3,000.00 – City of Miami Gardens **(swimming program/** ***learn to swim scholarships)***
- $2,000.00 – City of Opa-Locka ***(swimming program/ learn to swim scholarships)***

11B2

MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
AUDREY M. EDMONSON
COMMISSIONER - DISTRICT 3

Date: June 30, 2015

To: Christopher Agrippa, Director
Clerk of the Board

From: Audrey M. Edmonson
Commissioner – District 3

Subject: District 3's Allocations

The following allocations are to be made from District 3's Office Budget:

Nat's Catering $3,000
Re: Annual Senior's 4th of July Event

Reimbursement of P-Card the amount of $125.00 charged to Mr. Boneless Inc. for BBQ Luncheon for residents affected by the fire at Brownsville Transit Village IV.

Thank you.

11B3

Date: **June 30, 2015**

To: Christopher Agrippa
Division Chief
Clerk of the Board

From: **Sally A. Heyman**
Commissioner, District 4

Subject: Community-based Organization allocations presented at the June 30, 2015, Board of County Commission Meeting

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I would like to be **reimbursed** for the following allocations I already made to the organizations below from the **District 4 Office Account**.

Organization Name	Allocation Amount
Sunflower Society	$ 100.00
North Miami Foundation	$ 250.00
Women's Breast Health	$ 100.00
The Children's Trust Champions for Children	$ 45.00

Also, I would like to be reimbursed $319.51 for expenses related to various District 4 Events.

Additionally, I would like to allocate a Scholar's Merit Award to Rosalia Montero from the District 4 Office Account in the amount of $900.00.

11B4

Date: **June 30, 2015**

To: Harvey Ruvin, Clerk of the Courts

From: **Commissioner Rebeca Sosa, District 6**

Subject: Allocation to be presented at the Board of County Commissioners Meeting of June 30, 2015.

I would like to allocate funding to the following organizations:

From District 6 Funds:

Organization Name	Allocation Amount
Florida International University Foundation, Inc./Danny A Pino Memorial Scholarship Endowment	$1,000
Optimist Club of Miami Springs Florida, Inc.	$1,000

11B5

Xavier Suarez

To be read on to the record at the end of June 30 BCC Meeting:

MOTION ALLOCATING SONY OPEN TENNIS TOURNAMENT REVENUES

"I move that $1,000 be allocated to the City of South Miami for the Murray Aquatic Center, and that 1,000 be allocated to the City of Miami for the Varrick Park Pool from the FY 2014-15 District 7 share of the Sony Open Tennis Tournament Revenue. These funds shall be used to defray entrance fees for children. Any surplus funds shall rollover to the following year's operation."

MOTION FOR SUMMER JOBS PROGRAM

Motion to "Amend Resolution R 464-15 correcting the organization name from Coconut Grove Collaborative to Collaborative Development Corporation, increasing the District 7 office allocation to $58,577 from $50,400, allocating $5,400 from the FY 2014-15 Office of Community Advocacy Office funds, and authorizing the Mayor or his designee to execute all necessary agreements".

11B6

Memorandum

Office of Commissioner Dennis C. Moss
District9
Stephen P. Clark Center • 111 NW 1st Street, Suite 320 • Miami, Florida • 33128
Telephone: 305.375.4832• Facsimile: 305.372.6011 • E-mail: District9@miamidade.gov

Date: June 30, 2015

To: Christoppher Agrippa, Division Chief
Cc: Clerk of the Board

From: Dennis C. Moss, County Commissioner, District 9
Miami-Dade Board of County Commissioners

Subject: **Allocation - June 30, 2015**

I would like to make the following allocations from my District 9 Office Budget.

$500.00 **The National Association of The Bahamas** to support their Annual Scholarship Gala event.

1187

MEMORANDUM

OFFICE OF COMMISSIONER DENNIS C. MOSS

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS

Downtown Office
111 NW 1st Street, Suite 220
Miami, Florida 33128
(305) 375-4832| Fax (305) 372-6011

District North Office
10710 SW 211th Street, Suite 206
Miami, Florida 33189
(305) 234-4938 | Fax (305) 232-2892

District South Office
1634 NW 6th Avenue
Florida City, Florida 33034
(305) 245-4420 | Fax (305) 245-5008

Date: June 30, 2015

To: Honorable Carlos A. Gimenez, Mayor
Miami-Dade County

From: Honorable Commissioner Dennis C. Moss
Miami-Dade Board of County Commissioners

Re: Sony Open Ticket Revenue

I am requesting $1,000.00 of District 9's Sony Open Tennis Tournament Funds to be allocated to the Leisure City/Modello Optimist Club of Florida, Inc. for payment to Miami-Dade Xtreme Youth Football League to assist with the cost of refurbished helmets for the football players in the league.

Thank you for your attention to this matter.

Cc: Honorable Jean Monestime, Chairman
and Members Board of County Commissioners
Honorable Harvey Ruvin, Clerk of the Courts
Honorable Pedro J. Garcia, Property Appraiser
Alina T. Hudak, County Manager
Robert A. Cuevas, County Attorney
Abigail Price-Williams, First County Attorney
Charles Anderson, Commission Auditor
Joe Rasco, Intergovernmental Affairs
Christopher Agrippa, Division Chief, Clerk of the Board

Date: June 30, 2015

To: Clerk of the Board

From: Jose "Pepe" Diaz
Commissioner, District 12

Subject: June 30, 2015 Board of County Commissioners' Meeting

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I would like to allocate the following from my:

DISTRICT 12 Office Budget

11B8

Organization	Allocation Amount
Greater Miami Chamber of Commerce	$550.00

I would like to allocate the following from my:

DISTRICT 12 Share of the Sony Open Tennis Tournament Ticket Revenue.

11B9

Organization	Allocation Amount
Town of Medley	$3,150.00
Village of Virginia Gardens	$3,000.00
North Trail Park	$1,695.00

I would like to appoint Daniel Iglesias and Aaron Valdes to the Miami-Dade Youth Commission.

ESTEBAN BOVO

11B10

I am allocating to the following organizations from my Office Budget Funds:

1.) $500 TO THE FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION, INC.
2.) $300 TO OUR LADY OF THE LAKES CATHOLIC SCHOOL

For:
Commissioner
Bovo

MEMORANDUM

Agenda Item 15(B)1

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Proposed Public Hearing Dates for Meeting of June 30, 2015

It is proposed that public hearings for Ordinances submitted for first reading be set as follows:

Board of County Commissioners (BCC) Meeting – Tuesday, July 14, 2015, at 9:30 AM

4C ORDINANCE GRANTING PETITION OF HIALEAH COMMUNITIES, LLC FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING BONTERRA COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

4J ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE NARANJA COMMUNITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.66 AND 33-284.68 THROUGH 33-284.72 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4K ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE LEISURE CITY COMMUNITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.99.34, 33-284.99.35, 33-284.99.36 AND 33-284.99.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4L ORDINANCE RELATING TO ZONING; AMENDING THE DOWNTOWN KENDALL URBAN CENTER DISTRICT REGULATING PLANS; REDESIGNATING STREETS ABUTTING THE SUBJECT PROPERTY FROM "A" TO "C" AND "F"; AMENDING SECTION 33-284.61 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Unincorporated Municipal Service Area (UMSA) Cmte. Meeting – Tuesday, August 25, 2015, at 2:00 PM

4B ORDINANCE RELATING TO ZONING; UPDATING REGULATIONS PERTAINING TO RESTAURANTS AND TO LIVE ENTERTAINMENT AT RESTAURANTS, BARS, NIGHT CLUBS, CABARETS AND SIMILAR ESTABLISHMENTS; UPDATING THE DEFINITION OF NIGHT CLUBS; PROVIDING FOR NIGHT CLUBS IN THE IU-1 ZONING DISTRICT; AMENDING SECTIONS 33-1, 33-150, 33-238, AND 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4D ORDINANCE RELATING TO ZONING AND SIGNS; PROVIDING DEFINITIONS AND STANDARDS FOR ILLUMINATION RELATING TO SIGNS; PROVIDING FOR DIGITAL SIGNS; PROVIDING FOR DIGITAL BILLBOARDS AFTER PUBLIC HEARING; AMENDING SECTIONS 33-84, 33-96, 33-96.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 33-96.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4G ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING DEFINITIONS PERTAINING TO BREWERIES, DISTILLERIES, AND WINERIES; UPDATING PERMITTED USES IN THE AGRICULTURAL ZONING DISTRICT BY AMENDING REGULATIONS PERTAINING TO BED AND BREAKFAST ESTABLISHMENTS AND FARM-RELATED WINERIES, BREWERIES, AND DISTILLERIES; AMENDING SECTIONS 33-1 AND 33-279 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

4H ORDINANCE RELATING TO ZONING; AMENDING JURISDICTION OF BOARD OF COUNTY COMMISSIONERS TO HEAR CERTAIN APPLICATIONS RELATED TO PRIVATE SCHOOLS; AMENDING SECTION 33-314 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Metropolitan Services (MS) Cmte. Meeting – Wednesday, August 26, 2015, at 2:00 PM

4F ORDINANCE RELATED TO DADE-MIAMI CRIMINAL JUSTICE COUNCIL; AMENDING ARTICLE CXLIX, SECTION 2-2169 OF CHAPTER 2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE THE MIAMI-DADE REENTRY COUNCIL COMMITTEE AS A COMMITTEE OF THE DADE-MIAMI CRIMINAL JUSTICE COUNCIL; SUPERSEDING RESOLUTION NO. R-321-09; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4M ORDINANCE PERTAINING TO ANIMALS; AMENDING REGULATIONS REGARDING CRUELTY TO ANIMALS, ADOPTION OF ANIMALS FROM THE DEPARTMENT, VACCINATION AND LICENSING OF ANIMALS, SALE OF LICENSES BY VETERINARIANS AND PET DEALERS, IMPOUNDMENT OF ANIMALS, LIVESTOCK AT LARGE, AND MICROCHIPPING; AMENDING THE ANIMAL SERVICES DIRECTOR'S DELEGATED CONTRACTING AUTHORITY; AMENDING SECTIONS 5-4, 5-5, 5-6, 5-7, 5-11, 5-18, 5-19, AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4N ORDINANCE AMENDING SECTION 24-5 OF THE CODE OF MIAMI-DADE COUNTY, PROVIDING DEFINITIONS RELATED TO SANITARY SEWER COLLECTION AND TRANSMISSION SYSTEMS; AMENDING SECTION 24-18 OF THE CODE, RELATING TO OPERATING PERMITS; AMENDING SECTION 24-42.2 OF THE CODE, PROVIDING CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE REQUIREMENTS FOR THE VOLUME SEWER CUSTOMER SANITARY SEWER COLLECTION AND TRANSMISSION SYSTEMS FOR THE CONSENT DECREE BETWEEN MIAMI-DADE COUNTY, THE UNITED STATES OF AMERICA, THE STATE OF FLORIDA, AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; TO PROVIDE SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

4Q ORDINANCE RELATED TO AUDITS OF SPECIAL TAXING DISTRICT; AMENDING SECTION 18-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING ANNUAL AUDITS OF SPECIAL TAXING DISTRICTS TO BE PLACED ON AN AGENDA OF THE BOARD OF COUNTY COMMISSIONERS BY A SPECIFIED DEADLINE; PROVIDING ADDITIONAL REQUIREMENTS FOR SUCH AUDITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Economic Prosperity (EP) Cmte. Meeting – Thursday, August 27, 2015, at 2:00 PM

4A ORDINANCE AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CLARIFYING THAT WHERE NOT PRECLUDED BY FEDERAL OR STATE LAW OR FUNDING SOURCE, HOURLY WAGES TO BE PAID ON FEDERALLY OR STATE FUNDED COUNTY CONSTRUCTION CONTRACTS SHALL BE THE HIGHER OF DAVIS-BACON ACT RATES OR THE RATES UNDER SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4E ORDINANCE CREATING MIAMI-DADE COUNTY OVERTOWN COMMUNITY BENEFITS ADVISORY BOARD FOR PURPOSE OF ADMINISTERING OVERTOWN COMMUNITY BENEFITS PROGRAM; PROVIDING FOR POWERS AND DUTIES, COMPOSITION AND ORGANIZATION OF BOARD; PROVIDING FOR QUALIFICATIONS AND APPOINTMENT OF BOARD MEMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Board of County Commissioners (BCC) Meeting – Tuesday, September 1, 2015, at 9:30 AM

4I ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GRAND FLORIDIAN ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

4O ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LAKE HILDA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

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CA/fcd

* or such other time and place as may be set in accordance with the Rules and Procedures of the Board of County Commissioners

MEMORANDUM

Agenda Item 15(B)1 Substitute

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Christopher Agrippa, Director Clerk of the Board Division

SUBJECT: Proposed Public Hearing Dates for Meeting of June 30, 2015

It is proposed that public hearings for Ordinances submitted for first reading be set as follows:

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14A4 ORDINANCE GRANTING PETITION OF INTERLAKEN COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT" OR "PETITIONER") TO EXPAND THE BOUNDARY OF THE DISTRICT ESTABLISHED BY ORDINANCE NO. 11-101; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

Strategic Planning & Government Operations Cmte. (SPGOC) Meeting – Tuesday, August 25, 2015, at 9:30 AM

14A2 ORDINANCE RELATING TO PROTECTION OF EMPLOYEES DISCLOSING SPECIFIED INFORMATION; AMENDING CHAPTER 2, ARTICLE IV, DIVISION 6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO EXPAND THE METHODS FOR MAKING PROTECTED DISCLOSURES AND FACILITATE DISCLOSURE OF INFORMATION TO THE INSPECTOR GENERAL; AMENDING PROVISIONS REGARDING REMEDIES AND THE REVIEW PROCESS OF THE COMMISSION ON ETHICS AND PUBLIC TRUST; PROVIDING FOR INVESTIGATIONS BY THE INSPECTOR GENERAL AND NOTICE OF STATE LAW CONFIDENTIALITY PROTECTIONS AND CONSEQUENCES OF PROVIDING FALSE INFORMATION PURSUANT TO THIS SECTION; AMENDING PROVISIONS REGARDING INVESTIGATIONS AND DETERMINATIONS BY THE ETHICS COMMISSION; PROVIDING FOR OUTREACH, INFORMATION AND TRAINING FOR COUNTY EMPLOYEES; DELETING AWARDS PROGRAM REMEDIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Unincorporated Municipal Service Area (UMSA) Cmte. Meeting – Tuesday, August 25, 2015, at 2:00 PM

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4D ORDINANCE RELATING TO ZONING AND SIGNS; PROVIDING DEFINITIONS AND STANDARDS FOR ILLUMINATION RELATING TO SIGNS; PROVIDING FOR DIGITAL SIGNS; PROVIDING FOR DIGITAL BILLBOARDS AFTER PUBLIC HEARING; AMENDING SECTIONS 33-84, 33-96, 33-96.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 33-96.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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4M ORDINANCE PERTAINING TO ANIMALS; AMENDING REGULATIONS REGARDING CRUELTY TO ANIMALS, ADOPTION OF ANIMALS FROM THE DEPARTMENT, VACCINATION AND LICENSING OF ANIMALS, SALE OF LICENSES BY VETERINARIANS AND PET DEALERS, IMPOUNDMENT OF ANIMALS, LIVESTOCK AT LARGE, AND MICROCHIPPING; AMENDING THE ANIMAL SERVICES DIRECTOR'S DELEGATED CONTRACTING AUTHORITY; AMENDING SECTIONS 5-4, 5-5, 5-6, 5-7, 5-11, 5-18, 5-19, AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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4Q ORDINANCE RELATED TO AUDITS OF SPECIAL TAXING DISTRICT; AMENDING SECTION 18-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING ANNUAL AUDITS OF SPECIAL TAXING DISTRICTS TO BE PLACED ON AN AGENDA OF THE BOARD OF COUNTY COMMISSIONERS BY A SPECIFIED DEADLINE; PROVIDING ADDITIONAL REQUIREMENTS FOR SUCH AUDITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Economic Prosperity (EP) Cmte. Meeting – Thursday, August 27, 2015, at 2:00 PM

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4E ORDINANCE CREATING MIAMI-DADE COUNTY OVERTOWN COMMUNITY BENEFITS ADVISORY BOARD FOR PURPOSE OF ADMINISTERING OVERTOWN COMMUNITY BENEFITS PROGRAM; PROVIDING FOR POWERS AND DUTIES, COMPOSITION AND ORGANIZATION OF BOARD; PROVIDING FOR QUALIFICATIONS AND APPOINTMENT OF BOARD MEMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

14A3 ORDINANCE AMENDING CHAPTER 17, ARTICLE IX OF THE CODE OF MIAMI-DADE COUNTY RELATING TO THE WORKFORCE HOUSING DEVELOPMENT PROGRAM ADMINISTRATION; AMENDING DEFINITION OF THE TERMS "WORKFORCE HOUSING RENT" OR "WHU RENT"; SETTING MINIMUM AMOUNT OF COUNTY MORTGAGE; UPDATING INCORRECT CODE REFERENCE; UPDATING TERMINOLOGY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Board of County Commissioners (BCC) Meeting – Tuesday, September 1, 2015, at 9:30 AM

4I ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GRAND FLORIDIAN ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

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14A5 ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS FLAGLER STATION NORTH MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

CA/fcd

* or such other time and place as may be set in accordance with the Rules and Procedures of the Board of County Commissioners

MEMORANDUM

Substitute to
Agenda Item 15(B)1

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Proposed Public Hearing Dates for Meeting of June 30, 2015

This Substitute differs from the original item to include public hearings on the following items: 14 (A)2, 14(A)3, 14(A)4 and 14(A)5.

It is proposed that public hearings for Ordinances submitted for first reading be set as follows:

Board of County Commissioners (BCC) Meeting – Tuesday, July 14, 2015, at 9:30 AM

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4L ORDINANCE RELATING TO ZONING; AMENDING THE DOWNTOWN KENDALL URBAN CENTER DISTRICT REGULATING PLANS; REDESIGNATING STREETS ABUTTING THE SUBJECT PROPERTY FROM "A" TO "C" AND "F"; AMENDING SECTION 33-284.61 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

14A4 ORDINANCE GRANTING PETITION OF INTERLAKEN COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT" OR "PETITIONER") TO EXPAND THE BOUNDARY OF THE DISTRICT ESTABLISHED BY ORDINANCE NO. 11-101; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

Strategic Planning & Government Operations Cmte. (SPGOC) Meeting – Tuesday, August 25, 2015, at 9:30 AM

14A2 ORDINANCE RELATING TO PROTECTION OF EMPLOYEES DISCLOSING SPECIFIED INFORMATION; AMENDING CHAPTER 2, ARTICLE IV, DIVISION 6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO EXPAND THE METHODS FOR MAKING PROTECTED DISCLOSURES AND FACILITATE DISCLOSURE OF INFORMATION TO THE INSPECTOR GENERAL; AMENDING PROVISIONS REGARDING REMEDIES AND THE REVIEW PROCESS OF THE COMMISSION ON ETHICS AND PUBLIC TRUST; PROVIDING FOR INVESTIGATIONS BY THE INSPECTOR GENERAL AND NOTICE OF STATE LAW CONFIDENTIALITY PROTECTIONS AND CONSEQUENCES OF PROVIDING FALSE INFORMATION PURSUANT TO THIS SECTION; AMENDING PROVISIONS REGARDING INVESTIGATIONS AND DETERMINATIONS BY THE ETHICS COMMISSION; PROVIDING FOR OUTREACH, INFORMATION AND TRAINING FOR COUNTY EMPLOYEES; DELETING AWARDS PROGRAM REMEDIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Unincorporated Municipal Service Area (UMSA) Cmte. Meeting – Tuesday, August 25, 2015, at 2:00 PM

4B ORDINANCE RELATING TO ZONING; UPDATING REGULATIONS PERTAINING TO RESTAURANTS AND TO LIVE ENTERTAINMENT AT RESTAURANTS, BARS, NIGHT CLUBS, CABARETS AND SIMILAR ESTABLISHMENTS; UPDATING THE DEFINITION OF NIGHT CLUBS; PROVIDING FOR NIGHT CLUBS IN THE IU-1 ZONING DISTRICT; AMENDING SECTIONS 33-1, 33-150, 33-238, AND 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4D ORDINANCE RELATING TO ZONING AND SIGNS; PROVIDING DEFINITIONS AND STANDARDS FOR ILLUMINATION RELATING TO SIGNS; PROVIDING FOR DIGITAL SIGNS; PROVIDING FOR DIGITAL BILLBOARDS AFTER PUBLIC HEARING; AMENDING SECTIONS 33-84, 33-96, 33-96.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 33-96.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4G ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING DEFINITIONS PERTAINING TO BREWERIES, DISTILLERIES, AND WINERIES; UPDATING PERMITTED USES IN THE AGRICULTURAL ZONING DISTRICT BY AMENDING REGULATIONS PERTAINING TO BED AND BREAKFAST ESTABLISHMENTS AND FARM-RELATED WINERIES, BREWERIES, AND DISTILLERIES; AMENDING SECTIONS 33-1 AND 33-279 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

4H ORDINANCE RELATING TO ZONING; AMENDING JURISDICTION OF BOARD OF COUNTY COMMISSIONERS TO HEAR CERTAIN APPLICATIONS RELATED TO PRIVATE SCHOOLS; AMENDING SECTION 33-314 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Metropolitan Services (MS) Cmte. Meeting – Wednesday, August 26, 2015, at 2:00 PM

4F ORDINANCE RELATED TO DADE-MIAMI CRIMINAL JUSTICE COUNCIL; AMENDING ARTICLE CXLIX, SECTION 2-2169 OF CHAPTER 2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE THE MIAMI-DADE REENTRY COUNCIL COMMITTEE AS A COMMITTEE OF THE DADE-MIAMI CRIMINAL JUSTICE COUNCIL; SUPERSEDING RESOLUTION NO. R-321-09; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4M ORDINANCE PERTAINING TO ANIMALS; AMENDING REGULATIONS REGARDING CRUELTY TO ANIMALS, ADOPTION OF ANIMALS FROM THE DEPARTMENT, VACCINATION AND LICENSING OF ANIMALS, SALE OF LICENSES BY VETERINARIANS AND PET DEALERS, IMPOUNDMENT OF ANIMALS, LIVESTOCK AT LARGE, AND MICROCHIPPING; AMENDING THE ANIMAL SERVICES DIRECTOR'S DELEGATED CONTRACTING AUTHORITY; AMENDING SECTIONS 5-4, 5-5, 5-6, 5-7, 5-11, 5-18, 5-19, AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4N ORDINANCE AMENDING SECTION 24-5 OF THE CODE OF MIAMI-DADE COUNTY, PROVIDING DEFINITIONS RELATED TO SANITARY SEWER COLLECTION AND TRANSMISSION SYSTEMS; AMENDING SECTION 24-18 OF THE CODE, RELATING TO OPERATING PERMITS; AMENDING SECTION 24-42.2 OF THE CODE, PROVIDING CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE REQUIREMENTS FOR THE VOLUME SEWER CUSTOMER SANITARY SEWER COLLECTION AND TRANSMISSION SYSTEMS FOR THE CONSENT DECREE BETWEEN MIAMI-DADE COUNTY, THE UNITED STATES OF AMERICA, THE STATE OF FLORIDA, AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; TO PROVIDE SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

4Q ORDINANCE RELATED TO AUDITS OF SPECIAL TAXING DISTRICT; AMENDING SECTION 18-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING ANNUAL AUDITS OF SPECIAL TAXING DISTRICTS TO BE PLACED ON AN AGENDA OF THE BOARD OF COUNTY COMMISSIONERS BY A SPECIFIED DEADLINE; PROVIDING ADDITIONAL REQUIREMENTS FOR SUCH AUDITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Economic Prosperity (EP) Cmte. Meeting – Thursday, August 27, 2015, at 2:00 PM

4A ORDINANCE AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CLARIFYING THAT WHERE NOT PRECLUDED BY FEDERAL OR STATE LAW OR FUNDING SOURCE, HOURLY WAGES TO BE PAID ON FEDERALLY OR STATE FUNDED COUNTY CONSTRUCTION CONTRACTS SHALL BE THE HIGHER OF DAVIS-BACON ACT RATES OR THE RATES UNDER SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4E ORDINANCE CREATING MIAMI-DADE COUNTY OVERTOWN COMMUNITY BENEFITS ADVISORY BOARD FOR PURPOSE OF ADMINISTERING OVERTOWN COMMUNITY BENEFITS PROGRAM; PROVIDING FOR POWERS AND DUTIES, COMPOSITION AND ORGANIZATION OF BOARD; PROVIDING FOR QUALIFICATIONS AND APPOINTMENT OF BOARD MEMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

14A3 ORDINANCE AMENDING CHAPTER 17, ARTICLE IX OF THE CODE OF MIAMI-DADE COUNTY RELATING TO THE WORKFORCE HOUSING DEVELOPMENT PROGRAM ADMINISTRATION; AMENDING DEFINITION OF THE TERMS "WORKFORCE HOUSING RENT" OR "WHU RENT"; SETTING MINIMUM AMOUNT OF COUNTY MORTGAGE; UPDATING INCORRECT CODE REFERENCE; UPDATING TERMINOLOGY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Board of County Commissioners (BCC) Meeting – Tuesday, September 1, 2015, at 9:30 AM

4I ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GRAND FLORIDIAN ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

4O ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LAKE HILDA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

4P ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LAKE PATRICIA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

14A5 ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS FLAGLER STATION NORTH MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

CA/fcd

* or such other time and place as may be set in accordance with the Rules and Procedures of the Board of County Commissioners

MEMORANDUM

Agenda Item 15(B)3

TO: Honorable Chairman Jean Monestime, and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Resolution No. 15-1312 of the Town Council of the Town of Miami Lakes, Florida, expressing the Town of Miami Lakes' support of Miami-Dade County Commissioner Esteban Bovo's actions in support of Uber and Lyft; providing authorization to Town Officials; directing the Clerk to provide a copy of this Resolution to the Vice-Chair of the Miami-Dade County Board of County Commissioners; providing for incorporation of recitals; and providing for an effective date

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Attached for your information is a copy of Resolution No. 15-1312 of the Town Council of the Town of Miami Lakes, Florida, expressing the Town of Miami Lakes' support of Miami-Dade County Commissioner Esteban Bovo's actions in support of Uber and Lyft; providing authorization to Town Officials; directing the Clerk to provide a copy of this Resolution to the Vice-Chair of the Miami-Dade County Board of County Commissioners; providing for incorporation of recitals; and providing for an effective date.

CA/fcd
Attachment

RESOLUTION NO. 15-1312

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, EXPRESSING THE TOWN OF MIAMI LAKES' SUPPORT OF MIAMI-DADE COUNTY COMMISSIONER ESTEBAN BOVO'S ACTIONS IN SUPPORT OF UBER AND LYFT; PROVIDING AUTHORIZATION TO TOWN OFFICIALS; DIRECTING THE CLERK TO PROVIDE A COPY OF THIS RESOLUTION TO THE VICE-CHAIR OF THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Miami Lakes ("the Town") wishes to express to the Miami-Dade County Board of County Commissioners and the community at large the Town's support of Miami-Dade County Commissioner Esteban Bovo's actions in furthering free market principles and the entrepreneurial spirit particularly as to transportation network entities such as Uber and Lyft;

WHEREAS, Uber and Lyft provide ride-sharing services to consumers;

WHEREAS, the Town encourages the Miami-Dade County Commission to authorize Uber, Lyft and other leading-edge transportation network organizations to conduct business in Miami-Dade County without the imposition of unnecessarily oppressive regulations; and

WHEREAS, the Town seeks to ensure the community's safety; and

WHEREAS, the Town supports free market principles and encourages innovation; and

WHEREAS, the Town seeks to enhance residents' and consumers' transportation options.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Expressing Support of Commissioner Esteban Bovo's Actions Uber and Lyft. The Town Council hereby expresses the Town of Miami Lakes' support of Miami-Dade County Commissioner Esteban Bovo's actions in furthering free market principles and the entrepreneurial spirit particularly as to transportation network entities such as Uber and Lyft. The Town encourages the Miami-Dade County Commission to authorize Uber, Lyft and other

2nd day of June, 2015
Town of Miami Lakes
Certified Copy

leading-edge transportation network organizations to conduct business in Miami-Dade County without the imposition of unnecessarily oppressive regulations.

Section 3. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement this Resolution.

Section 4. Directions to Clerk. The Town Clerk is directed to send a certified copy of this resolution within two (2) business days of the effective date stated in Section 5 below to the Honorable Carlos A. Gimenez, Mayor, Miami-Dade County; Honorable Jean Monestime, District 2 Commissioner, Chair of the Miami-Dade County Board of County Commissioners; the Honorable Esteban L. Bovo, Jr., District 13 Commissioner, Vice-Chair of the Miami-Dade County Board of County Commissioners; and the Clerk of the Miami-Dade County Board of County Commissioners.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

THIS SPACE INTENTIONALLY LEFT BLANK

2nd day of June, 2015
Town of Miami Lakes
Certified Copy

Passed and adopted this 2nd day of June, 2015.

The foregoing resolution was offered by Councilman Lama who moved its adoption. The motion was seconded by Councilman Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	yes
Vice Mayor Manny Cid	yes
Councilmember Tim Daubert	yes
Councilmember Tony Lama	yes
Councilmember Ceasar Mestre	yes
Councilmember Frank Mingo	yes
Councilmember Nelson Rodriguez	yes

Michael A. Pizzi, Jr.
MAYOR

Attest:

Marjorie Tejeda
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

2nd day of June, 2015
Town of Miami Lakes
Certified Copy

Eisenberg, Alan (COC)

From: Moore, Shania (COC)
Sent: Monday, July 06, 2015 1:16 PM
To: Eisenberg, Alan (COC)
Cc: Shaw, Jovel (COC)
Subject: FW: Appointments made to the Miami-Dade Court Capital Infrastructure Task Force
Attachments: 6-30-15 Court Capital Inf.-Architecture.pdf; 6-30-15 Court Capital Inf.-Capital Financing.pdf; 6-30-15 Court Capital Inf.-Civil Engineering.pdf

Importance: High

Hi
Alan, please note the attached tally for your exhibits. Thanks!

Shania L. Moore
Lead Worker, Office Operations
Clerk of the Board Division
111 NW 1st Street Suite 17-202
Miami, Fl. 33128
305-375-1652/305-375-2484
shaniam@miamidade.gov

From: Moore, Shania (COC)
Sent: Monday, July 06, 2015 1:07 PM
To: Floyd, Trenae (DIST1); Ragin, Andre T. (DIST1); Dixon, Marcus L. (Office of the Chair); Owens, Elizabeth (Office of the Chair); Brutus, Akeem (DIST3); Brown, Misty X. (DIST3); Juncadella-Ferreiro, Maria (DIST4); Michaels, Bonnie S. (DIST4); Cortes, Lourdes (DIST5); Sanchez, Loreta (DIST5); Orbis, Jr Manuel (DIST6); Castro, Vivian (DIST6); Mack, LaTarsha (DIST7); Gonzalez, Ricardo (DIST7); McCrackine, Sean (DIST8); Bagley, Adele R. (DIST8); Wilson IV, Samuel (DIST9); Bannerman, Wayman G. (DIST9); Gonzalez, Aldo (DIST10); Cornejo, Stephanie (DIST11); Caviglia, Bianca S. (DIST11); Vega, Olga R. (DIST12); Lievano, Maria (DIST12); Borjes, Lenna (DIST13)
Cc: Ruvin, Harvey (COC); 'BSOTO@JUD11.FLCOURTS.ORG'; Gimenez, Carlos A. (Office of the Mayor); Cuevas, Jr. R.A. (CAO); Price-Williams, Abigail (CAO); Rosenthal, Oren (CAO); Smith, Tara C. (ISD); Agrippa, Christopher (COC)
Subject: Appointments made to the Miami-Dade Court Capital Infrastructure Task Force
Importance: High

Good afternoon,

The Board of County Commissioners, at its June 30, 2015 BCC Regular meeting, ratified and selected the following persons to serve as members of the Miami-Dade Court Capital Infrastructure Task Force:

Enrique "Rick" Crooks - **Chairperson**
Honorable Joseph P. Farina – **Vice Chairperson**
Lourdes Reyes Abadin
Maria Luisa Castellanos
George Cuesta
Sandra Lonergan
William W. Riley

The tally sheets for members selected by ballot have been attached for your review.

Thank you,

Shania L. Moore
Lead Worker, Office Operations
Clerk of the Board Division
111 NW 1st Street Suite 17-202
Miami, Fl. 33128
305-375-1652/305-375-2484
shaniam@miamidade.gov

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE

ARCHITECTURE

	Maria Luisa Castellanos, R.A.	Santiago Klein, BA, MA, ARB
Barbara J. Jordan (District 1)	X	
Jean Monestime (District 2)		X
Audrey Edmonson (District 3)		X
Sally A. Heyman (District 4)		X
Bruno A. Barreiro (District 5)	X	
Rebecca Sosa (District 6)		
Xavier L. Suarez (District 7)	X	
Daniella Levine Cava (District 8)	X	
Dennis C. Moss (District 9)	X	
Sen. Javier D. Souto (District 10)		
Juan C. Zapata (District 11)	X	
Jose "Pepe" Diaz (District 12)	X	
Esteban L. Bovo, Jr. (District 13)		
Results	7	3

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE

CAPITAL FINANCING

	Lourdes Reyes Abadin	Joseph A. DeMaria
Barbara J. Jordan (District 1)	**X**	
Jean Monestime (District 2)		**X**
Audrey Edmonson (District 3)	**X**	
Sally A. Heyman (District 4)		**X**
Bruno A. Barreiro (District 5)		X
Rebecca Sosa (District 6)		
Xavier L. Suarez (District 7)		**X**
Daniella Levine Cava (District 8)	**X**	
Dennis C. Moss (District 9)	**X**	
Sen. Javier D. Souto (District 10)		
Juan C. Zapata (District 11)	**X**	
Jose "Pepe" Diaz (District 12)	**X**	
Esteban L. Bovo, Jr. (District 13)		
Results	6	4

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County , Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE

CIVIL ENGINEERING WITH A FOCUS ON INFRASTRUCTURE

	Lawrence Dombrowski, Jr. P.E.	Enrique "Rick" Crooks, P.E.	Carlos A. Penin, P.E.
Barbara J. Jordan (District 1)		**X**	
Jean Monsetime (District 2)		**X**	
Audrey Edmonson (District 3)		**X**	
Sally A. Heyman (District 4)	**X**		
Bruno A. Barreiro (District 5)	X		
Rebecca Sosa (District 6)			
Xavier L. Suarez (District 7)		**X**	
Daniella Levine Cava (District 8)		**X**	
Dennis C. Moss (District 9)		**X**	
Sen. Javier D. Souto (District 10)			
Juan C. Zapata (District 11)		**X**	
Jose "Pepe" Diaz (District 12)			**X**
Esteban L. Bovo, Jr. (District 13)			
Results	2	7	1

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE

ARCHITECTURE

	Maria Luisa Castellanos, R.A.	Santiago Klein, BA, MA, ARB
Barbara J. Jordan (District 1)	✓	
Jean Monestime (District 2)		✓
Audrey Edmonson (District 3)		✓
Sally A. Heyman (District 4)		✓
Bruno A. Barreiro (District 5)	✓	
Rebecca Sosa (District 6)		✓ AB
Xavier L. Suarez (District 7)	✓	
Daniella Levine Cava (District 8)	✓	
Dennis C. Moss (District 9)	✓	
Sen. Javier D. Souto (District 10)	✓ AB	
Juan C. Zapata (District 11)	✓	
Jose "Pepe" Diaz (District 12)	✓	
Esteban L. Bovo, Jr. (District 13)	✓ AB	
Results	9 (7)	4 (3)

10 members

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE

CAPITAL FINANCING

	Lourdes Reyes Abadin	Joseph A. DeMaria
Barbara J. Jordan (District 1)	✓	
Jean Monestime (District 2)		✓
Audrey Edmonson (District 3)	✓	
Sally A. Heyman (District 4)		✓
Bruno A. Barreiro (District 5)		✓
Rebecca Sosa (District 6)	✓ AB	
Xavier L. Suarez (District 7)		✓
Daniella Levine Cava (District 8)	✓	
Dennis C. Moss (District 9)	✓	
Sen. Javier D. Souto (District 10)	✓ AB	
Juan C. Zapata (District 11)	✓	
Jose "Pepe" Diaz (District 12)	✓	
Esteban L. Bovo, Jr. (District 13)	✓ AB	
Results	9	4

6

10 votes

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County , Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE

CIVIL ENGINEERING WITH A FOCUS ON INFRASTRUCTURE

	Lawrence Dombrowski, Jr. P.E.	Enrique "Rick" Crooks, P.E.	Carlos A. Penin, P.E.
Barbara J. Jordan (District 1)		✓	
Jean Monsetime (District 2)		✓	
Audrey Edmonson (District 3)		✓	
Sally A. Heyman (District 4)	✓		
Bruno A. Barreiro (District 5)	✓		
Rebecca Sosa (District 6)	✓ AB		
Xavier L. Suarez (District 7)		✓	
Daniella Levine Cava (District 8)		✓	
Dennis C. Moss (District 9)		✓	
Sen. Javier D. Souto (District 10)			✓ AB
Juan C. Zapata (District 11)		✓	
Jose "Pepe" Diaz (District 12)			✓
Esteban L. Bovo, Jr. (District 13)	✓ AB		
Results	4	7	2

13 members

2

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☑
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☑
Joseph A. DeMaria	☐

Commissioner Barbara J. Jordan
(Please sign ballot)

Commission District Number 1

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☑
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☐
Santiago Klein, BA, MA, ARB	☑
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☐
Joseph A. DeMaria	☑

Commissioner _____
(Please *sign ballot)*

Commission District Number _____

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☑
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☐
Santiago Klein, BA, MA, ARB	☑
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☑
Joseph A. DeMaria	☐

Commissioner Audrey J. Edmonson
(Please *sign ballot)*

Commission District Number 3

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPITAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☒
Enrique "Rick" Crooks, P.E.	☐
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☐
Santiago Klein, BA, MA, ARB	☒
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☐
Joseph A. DeMaria	☒

Commissioner _____
(Please *sign ballot)*

Commission District Number 4

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☑
Enrique "Rick" Crooks, P.E.	☐
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☐
Joseph A. DeMaria	☑

Commissioner Bruno Barreiro #5
(Please *sign ballot*)

Commission District Number #5

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☒
Enrique "Rick" Crooks, P.E.	☐
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☐
Santiago Klein, BA, MA, ARB	☒
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☒
Joseph A. DeMaria	☐

Commissioner _____
(Please sign ballot)

Commission District Number #6

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One Civil Engineering with a focus on Infrastructure	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☑
Carlos A. Penin, P.E.	☐
Vote (✓) for One Architecture	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One Capital Financing	
Lourdes Reyes Abadin	☐
Joseph A. DeMaria	☑

Commissioner _____
(Please *sign ballot)*

Commission District Number 7

√

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☑
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☑
Joseph A. DeMaria	☐

Commissioner Danielle Levine Cava
(Please *sign ballot)*

Commission District Number 8

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One Civil Engineering with a focus on Infrastructure	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☑
Carlos A. Penin, P.E.	☐
Vote (✓) for One Architecture	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One Capital Financing	
Lourdes Reyes Abadin	☑
Joseph A. DeMaria	☐

Commissioner _____
(Please *sign ballot)*

Commission District Number 9

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☐
Carlos A. Penin, P.E.	☑
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☑
Joseph A. DeMaria	☐

Commissioner _____
(Please sign ballot)

Commission District Number 10

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☒
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☒
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☒
Joseph A. DeMaria	☐

Commissioner _____
(Please *sign ballot)*

Commission District Number 11

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☐
Enrique "Rick" Crooks, P.E.	☐
Carlos A. Penin, P.E.	☑
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☑
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☑
Joseph A. DeMaria	☐

Commissioner _____
(Please *sign ballot)*

Commission District Number 12

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

June 30, 2015

MIAMI-DADE COURT CAPTIAL INFRASTRUCTURE TASK FORCE	
Vote (✓) for One **Civil Engineering with a focus on Infrastructure**	
Lawrence Dombrowski, Jr., P.E.	☒
Enrique "Rick" Crooks, P.E.	☐
Carlos A. Penin, P.E.	☐
Vote (✓) for One **Architecture**	
Maria Luisa Castellanos, R.A.	☒
Santiago Klein, BA, MA, ARB	☐
Vote (✓) for One **Capital Financing**	
Lourdes Reyes Abadin	☒
Joseph A. DeMaria	☐

Commissioner _____
(Please *sign ballot)*

Commission District Number 13

MEMORANDUM

Supplement to
Agenda Item 15(D)1

TO: Honorable Chairman Jean Monestime, and
Members, Board of County Commissioners

DATE: June 30, 2015

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Nominations for Appointment to the Miami-Dade Court Capital Infrastructure Task Force

Pursuant to Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

Attached for your information and review is the Commission Auditor's findings regarding Item 15(D)1 on today's agenda regarding nominations for appointment to the Miami-Dade Court Capital Infrastructure Task Force.

CA/fcd

BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Charles Anderson
Commission Auditor

DATE: June 30, 2015

SUBJECT: **Nominations for Appointment to the Miami-Dade Court Capital Infrastructure Task Force**

Resolution No. R-636-14, adopted on July 1, 2014, requires that the Office of the Commission Auditor (OCA) complete a background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

In accordance with that Resolution, we are providing this report as a supplement to the BCC Agenda Item 15(D)1 Substitute.

Pursuant to R-636-14, the OCA completed background research regarding BCC Agenda Item 15(D)1 Substitute, Nominations for Appointment to the Miami-Dade Court Capital Infrastructure Task Force and there were no adverse findings for the following nominations:

Civil Engineering with a focus on Infrastructure
Lawrence Dombrowski, Jr., P.E.; Enrique "Rick" Crooks, P.E.; and Carlos A. Penin, P.E.

Architecture
Maria Luisa Castellanos, R.A.; and Santiago Klein, BA, MA, ARB.

Capital Financing
Lourdes Reyes Abadin; and Joseph A. DeMaria.

Community and Real Estate Development
William W. Riley, Jr. Esq.

Construction
George L. Cuesta