CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)
Wednesday, December 2, 2004
Stephen P. Clark Center
111 NW 1st Street
10th Floor Conference Room
10 a.m.

Summary of Minutes

MEMBERS PRESENT:

Marc A. Buoniconti, Chairman
Hon. Luis Morse, Vice-Chairman.
Franklin Kelly
Miles Moss
Susannah Troner
Hon. Linda Zilber
Harold Braynon, Jr.
Henry Lee Givens
Thamara Labrousse
Hon. James Reeder
Theodore Wilde

COUNTY ATTORNEY:

Bruce Libhaber

OTHERS PRESENT:

Nan A. Markowitz, Executive Director
Barbara Bravo, OCITT
Virginia Diaz, OCITT
Pepe Valdes, OCITT
John Prats, OCITT
Lourdes Gomez, MDT
Joanna Santiago, OCITT
Virginia Diaz, OCITT
Tony Arroya, MDT
Dan Ricker, Watchdog Report
Patty David, OCITT
Jack Furney, OCITT
Dea Martinez, CICC
David Tinder, PWD
George Navarrete, MDT
Mayra Bustamante, MDT
Tom Mesk, Citizen
David Tinder, PWD
Ernst Jean, KisKeya
Scott Mendelsberg, OMB

ROLL CALL

With a quorum being present, Mr. Marc A. Buoniconti, Chairman, called the meeting to order at 10:05 a.m.

SWEARING-IN OF NEW TRUST MEMBER

Mr. Buoniconti introduced and welcomed Ms. Susannah Troner, who was appointed by Commissioner Katy Sorenson to represent County Commission District 8. Ms. Kay Sullivan, Deputy Clerk of the Courts, conducted the swearing-in of Ms. Troner.

APPROVAL OF AGENDA

Mr. Miles Moss moved to approve the revised agenda. The motion was seconded by Mr. James Reeder and carried without dissent.

APPROVAL OF MINUTES

Mr. Buoniconti requested a motion to approve the October 27, 2004, minutes. Ms. Linda Zilber moved to approve the minutes. The motion was seconded by Mr. Henry Lee Givens and carried without dissent.

CITIZENS' COMMENTS
None

REPORTS
Chairman's Report
Mr. Buoniconti addressed the following:

- Informed the Members that the reason the CITT could not hold its meeting in the BCC Chambers was because the BCC meeting of November 30, 2004, was carried over to December 2, 2004.
- Announced that the Honorable Luis C. Morse submitted his letter of resignation from the CITT, effective December 2, 2004. Mr. Buoniconti asked staff to prepare a resolution on behalf of CITT Members thanking Mr. Morse for his commitment and dedication to the community. Mr. Moss suggested staff look into the purchase of a plaque or a "name plate" as a token of appreciation, to be paid for by a collection from CITT members. Mr. Buoniconti asked staff to look into one plaque with the names of all the officers and Members. Several members thanked Mr. Morse for his leadership and years of public service. Mr. Morse said he regretted having to leave the CITT, but because of personal career demands, he felt it was in his and the CITT's best interest.
- Announced that the Executive Director will accept nominations to replace Mr. Morse as Vice-Chairman. Nominations will be accepted until December 17, 2004, for selection at the December 29, 2004, CITT meeting.
- Announced that LtCol Antonio Colmenares has been called to active duty in Tokyo, Japan. LtCol Colmenares has requested a leave of absence for 90 days. Mr. Buoniconti stated that he has asked the County Attorney's office if a leave of absence could be granted. Once the County Attorney provides an opinion, he will relay it to Members. Mr. Buoniconti appointed Mr. Miles Moss to serve as the Interim Chairman of the Project Review Committee.
- Informed Members that the initial review of the three bid proposals submitted for the Financial Consultant contract will be held December 6, 2004, and oral presentations will be held December 9, 2004.
- CITT Policies and Procedures handbook is being prepared by the Executive Director.
- Mentioned that there are several Ordinance changes that are being proposed and will be discussed with the BCC at the next Joint BCC/CITT workshop. Those items include: Absences of CITT Members, Municipal Maintenance of Effort minimum, 5% Administrative Cap for Municipalities, and the 80-20 rule as it pertains to new Municipalities.
- Announced that the MDT Pro Forma will be presented at the December 9, 2004, Budget and Finance Committee meeting.

Ms. Lourdes Gomez, Executive Assistant to the MDT Director, stated that the Pro Forma will be available for distribution and discussion at the Budget and Finance Committee meeting. At the BCC's request, the final Pro Forma will be presented to the BCC and the CITT as a report in January 2005. In addition, Ms. Gomez stated that Ms. Bustamante had proposed holding a Pro Forma Workshop a week after the Budget and Finance Committee meeting to allow members further review of the document and provide comments. Members voiced concerns over not having enough time to review the Pro Forma or provide any comments. Mr. Morse suggested that if Members do not feel they were given sufficient time to review and comment on the Pro Forma, a

resolution or letter should be sent to the BCC stating to that effect, and that as a result they are unable to forward a recommendation. Mr. Buoniconti stated that he would like to give MDT an opportunity to present the Pro Forma and have a Workshop before a resolution is forwarded to the BCC. Members agreed to hold a workshop the week of December 13, 2004, and asked staff to follow up and make the appropriate arrangements.

Lastly, Mr. Buoniconti asked Members to evaluate their commitment and dedication to the Trust. He believes the oversight the Trust provides is an important responsibility and it needs members who can be involved and dedicate the time. Those who cannot should consider stepping aside to give others the opportunity.

Budget & Finance Committee – Theodore Wilde
Mr. Theodore Wilde stated that Ms. Bustamante informed him that a proposed amendment to the PTP was forthcoming. The amendment pertains to using surtax proceeds to pay for pre-existing MDT services. Mr. Wilde further stated that he does not want the item to be placed on a fast-track schedule until the Pro Forma has been reviewed. Ms. Markowitz said the item is being presented in December 2004, because of the close-out of the books and an audit scheduled for the end of January 2005. Mr. Wilde further stated that items that would require a substantial commitment of surtax proceeds should be carefully considered for their impact on the Pro Forma. Mr. Scott Mendelsberg, Budget Analyst, noted that the current Pro Forma has always included pre-existing services. The year 2001-2002 was not included in the Pro Forma, so an amendment to the PTP is necessary in order for the funds to be released. Mr. Morse asked Mr. Bruce Libhaber, Assistant County Attorney, to explain what would occur if the CITT took no action on the item. Mr. Libhaber explained Ordinance 02-117 states that the BCC cannot amend the PTP without initial review by the CITT. However, if the BCC were to pass a resolution asking the CITT to amend the PTP and the CITT took no action, this inaction could be viewed as a negative recommendation. The negative recommendation could be overridden by two-thirds of the entire BCC membership. Mr. Libhaber further stated that at this time, the CITT is not required to take any action on the item. Mr. Buoniconti stated that the item will be discussed at the Budget and Finance Committee meeting on December 9, 2004.

Project Review Committee – LtCol Antonio Colmenares
None

Mr. David Tinder, PTP Coordinator for the Public Works Department, announced that a public hearing will be held on December 2, 2004, at 6:30 p.m. to discuss the different alignment scenarios for a PTP project along SW 127th Avenue, from 120th Street to Kendall Drive.

External Affairs Committee – Hon. Luis C. Morse
Mr. Morse reported the following items which were discussed at the November 17, 2004, committee meeting:

- CITT Vacancy Outreach Effort Cost Analysis was distributed and staff was asked to forward the information to the CITT Nominating Committee for their information.
- The University of South Florida's Center for Urban Transportation Research (CUTR) made a presentation regarding the various transportation research services they provide.

- Members were presented with the July 2004 figures for municipal surtax distribution. Approximately $2.25 million were distributed to municipalities in July 2004.
- Ms. Markowitz informed the Members that discussions have been taking place between the County and the cities of Miami Gardens and Doral regarding the allocation of the 80 percent portion of the surtax proceeds. Both cities were incorporated after the adoption of the PTP on November 5, 2002.
- Informed the Members that a letter was sent to the municipalities on November 1, 2004, asking them to identify their transportation funding sources.
- Maintenance of Effort proposed language change to the 02-117 Ordinance was discussed at length and it was agreed to forward this issue to the Executive Planning Committee.
- Announced that the December 13, 2004, External Affairs Committee was cancelled.

ACTION ITEMS

Mr. Buoniconit asked that action item 7A be taken out of order.

A. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING APPROVAL OF WORK ORDER NO. ONE (1) TO CONTRACT NO. EDP-MT-TR06-MF17 BETWEEN MIAMI-DADE COUNTY AND LIVS ASSOCIATES IN THE AMOUNT OF $33,500 FOR THE METRORAIL DADELAND NORTH STATION ELEVATOR IMPROVEMENTS - **MIAMI-DADE TRANSIT** (*Forwarded with a favorable Recommendation by Project Review & Budget & Finance Committee)*

Mr. Moss moved for approval of item 7A. The motion was seconded by Mr. Reeder and carried without dissent.

B. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE USE OF SURTAX FUNDS FOR CONTRACT NO. 6402-0/04 FOR THE PURCHASE OF 40-FOOT LOW-FLOOR TRANSIT COACHES WITH NORTH AMERICAN BUS INDUSTRIES FOR THE IMPLEMENTATION OF BUS SERVICE IMPROVEMENTS AS MANDATED BY THE PEOPLE'S TRANSPORTATION PLAN (PTP) - **MIAMI-DADE TRANSIT** (*Forwarded with a favorable Recommendation by Project Review & Budget & Finance and Compliance & Oversight Committees)*

Ms. Labrousse moved for approval of item 7B. The motion was seconded by Mr. Reeder and upon being put to a vote, the motion was approved with one dissenting vote by Mr. Henry Lee Givens. Mr. Givens stated that North American Bus Industries is a publicly owned company in Budapest that does not have any minority representation on its board of directors, which he finds insulting. He further stated that companies seeking to do business with Miami-Dade County should have the appropriate representation on it's boards of directors. Mr. Buoniconti stated that the CITT cannot get involved in any issues pertaining to gender, race or ethnicity due to the federal ruling. Mr. Libhaber

further explained that the federal ruling in Hershell Gill Consulting Inc. vs. Miami-Dade County made it clear that the County could not consider ethnicity, gender, or race when considering whether or not to award contracts, and if a violation were to occur, commissioners, as well as CITT Members could be held individually liable.

C. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE AWARD OF A CONTRACT TO GOODYEAR TIRE AND RUBBER COMPANY FOR TIRE LEASING AND VEHICLE TIRE SERVICES, SUB ITEM 1.3 OF THE DEPARTMENT OF PROCUREMENT MANAGEMENT'S COMMODITIES AND SERVICES CONTRACT AWARDS – **MIAMI-DADE TRANSIT** *(Forwarded with a favorable Recommendation by Project Review Committee)*

Mr. Reeder moved to approve item 7C. The motion was seconded by Mr. Kelly and carried without dissent. Ms. Zilber asked Ms. Gomez what was the downtime for replacing tires. Ms. Gomez replied that the company provides 24-hour service, but she did not know the answer to that question. Ms. Gomez stated that she would find out and forward the response as soon as possible.

COMPLIANCE AND OVERSIGHT – Mr. Henry Lee Givens
Mr. Givens reported that the committee met on November 11, 2004, and discussed the following:

- A meeting was held to discuss the proposed policy language to include in future Joint Participation Agreements. Mr, Givens attended the meeting along with Ms. Markowitz, Mr. Tinder, and Deputy County Manager Pete Hernandez. Ms. Markowitz stated that a draft policy recommendation will be forwarded to the Transportation Committee Chairman for his consideration.

Mr. Givens stated that he is aware that the County has received from various companies the composition of their boards of directors; therefore, it is public record. Mr. Givens asked Mr. Libhaber what impedes the CITT Members from receiving that information as well. Mr. Libhaber stated that there is not a problem with distributing the information that has already been disclosed. However, he is uncertain if that information can be used when evaluating and determining whether or not to award a contract. Ms. Markowitz added that she will ask MDT and PWD to include that information already provided in their items for approval. Mr. Givens further stated that he will forward that information as it relates to the composition of the companies to the appropriate organizations, such as the NAACP and SALAD.

EXECUTIVE DIRECTOR'S REPORT – Nan A. Markowitz

- Announced that the Nominating Committee will meet December 16, 2004, at 2:30 p.m.
- The Florida Engineering Society has offered its services to provide professional advice and recommendations, as well as answer any project-related questions the CITT may have. They want to be involved in the community and are offering these services for free.
- Mr. Givens has asked to travel to Portland, Oregon to visit Tri-Med to view their Business Interruption Program. His travel request needs to be approved by the BCC. Mr. Buoniconti stated that an internal travel policy needs to be addressed

and his preference would be that any information that can be obtained via phone or Internet would be preferable. Ms. Markowitz stated that she will work on a draft travel policy.

CITIZENS' COMMENTS
None

NEW BUSINESS
None

ADJOURNMENT
The CITT meeting adjourned at noon.

*****MINUTES ARE IN SUMMARY FORM*****
FOR VERBATIM TRANSCRIPTIONS OF THIS MEETING PLEASE REQUEST COPIES OF THE TAPE FROM THE MIAMI-DADE OCITT AT 305-375-3481.